

HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS

Main Street County Complex, Second Floor
Flemington, New Jersey 08822

October 10, 2006

The regular meeting of the Hunterdon County Board of Chosen Freeholders convened at 3:23 p.m. in accordance with the provisions of the Open Public Meetings Act.

PRESENT: MRS. PALLADINO, MS. KARROW, MR. MULDER, MR. MELICK.
ABSENT: MR. PETERSON.

Open Public Meetings Act

Director Palladino 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 04, 2006, to the Hunterdon County Democrat, Lambertville Beacon, The Express, Courier News, Trenton Times, Hunterdon Review and The Star Ledger, newspapers designated to receive such notices and by filing a copy with the Hunterdon County Clerk."

FLAG SALUTE

Pledge of Allegiance.

EXECUTIVE SESSIONS

Ms. Karrow moved and Mr. Muller seconded these:

See Page 10/10/06-1A RESOLUTION

RESOLVED, Executive Session to discuss the salaries in the Prosecutor's Office, salaries for Constitutional Officers and salaries for personnel in the Health Department.

See Page 10/10/06-1B RESOLUTION

RESOLVED, Executive Session to discuss legal issues regarding the sale of the Kanach property.

ROLL CALL: (AYES) MS. KARROW, MR. MULLER, MR. MELICK, MRS. PALLADINO.
(ABSENT) MR. PETERSON.

The Hunterdon County Board of Chosen Freeholders went into Executive Session at 3:25 p.m. and reconvened in Open Session at 4:25 p.m.

Mr. Muller moved and Mr. Melick seconded this:

See Page 10/10/06-1C RESOLUTION

RESOLVED, Executive Session to discuss a disciplinary action involving an employee.

ROLL CALL: (AYES) MR. MULLER, MR. MELICK, MS. KARROW, MR. PETERSON,
MRS. PALLADINO.

The Hunterdon County Board of Chosen Freeholders returned to Executive Session at 4:27 p.m. and reconvened in Open Session at 4:35 p.m.

PRESENT: MRS. PALLADINO, MR. MELICK, MR. MULLER, MR. PETERSON.
ABSENT: MS. KARROW.

CONSENT AGENDA

Director Palladino reported: "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."

Items 1 and 10 were pulled from the agenda.

Mr. Muller moved and Mr. Peterson seconded a motion to approve claims in accordance with the Claims Register dated October 10, 2006.

See Page 10/10/06-1C CLAIMS REGISTER

ROLL CALL: (AYES) MR. MULLER, MR. PETERSON, MR. MELICK, MRS. PALLADINO.
(ABSENT) MS. KARROW.

Mr. Muller moved and Mr. Peterson seconded these:

See Page 10/10/06-2A

RESOLUTION

RESOLVED, Richard Chrysafis appointed permanent, full time Supervisor of Senior Citizens Activities, Division of Senior Services, Human Services Department.

See Page 10/10/06-2B

RESOLUTION

RESOLVED, Matthew Kriegl appointed provisional, full time GIS Trainee, Division of GIS, Information Technology Department.

See Page 10/10/06-2C

RESOLUTION

RESOLVED, Melissa Allen appointed provisional, full time Principal Clerk Transcriber, Roads, Bridges and Engineering.

See Page 10/10/06-2D

RESOLUTION

RESOLVED, Gloria Slovak appointed temporary, as needed Student Assistant, Library.

See Page 10/10/06-2E

RESOLUTION

RESOLVED, Christa Pezza appointed temporary, as needed Student Assistant, Library.

See Page 10/10/06-2F

RESOLUTION

RESOLVED, Approving appointments to the North Jersey Resource Conservation and Development Council, Inc.

See Page 10/10/06-2G

RESOLUTION

RESOLVED, Approving a FTA Section 5310 Retirement Agreement accepting three vehicles from NJ Transit into the County's Consolidated Transportation System, known as "The LINK."

See Page 10/10/06-2H

RESOLUTION

RESOLVED, Approving final payment for Bid #2005-36, for Resurfacing of County Route 523, in Readington and Tewksbury Township, to Schifano Construction Corp., in the amount of \$348,620.24.

See Page 10/10/06-2I

RESOLUTION

RESOLVED, Approving final payment for Bid #2005-44, for Resurfacing of County Route 514, in East Amwell and Raritan Township, to Mannon Excavating and Paving Co., Inc., in the amount of \$37,970.02.

See Page 10/10/06-2J

RESOLUTION

RESOLVED, Approving final payment for Bid #2006-19, for the 2006 Application of Traffic Stripes and Markings on County Routes 512, 602, 620, 626, 628, 2629, 637, 641 and 650 in various municipalities, to Denville Line Painting, Inc., in the amount of \$5,018.38.

See Page 10/10/06-2K

RESOLUTION

RESOLVED, Approving an application and project certificate for payment #4, for Bid #2005-39, for Alterations and Addition to the Route 12 County Garage, with APS Contractor, Inc., in the amount of \$70,434.56.

See Page 10/10/06-2L

RESOLUTION

RESOLVED, Approving an application and project certificate for payment #6, for Bid #2005-47, for the Addition and Alteration to the Emergency Services Center, to DeSapio Construction, Inc., in the amount of \$116,180.32.

See Page 10/10/06-2M

RESOLUTION

RESOLVED, Approving an application and project certificate for payment #7, for Bid #2005-47, for the Addition and Alteration to the Emergency Services Center, to DeSapio Construction, Inc., in the amount of \$108,623.10.

See Page 10/10/06-2N

RESOLUTION

RESOLVED, Approving an application and project certificate for payment #1, for the Hall of Records Cornice work, to J. Strober and Sons, LLC, in the amount of \$25,970.

See Page 10/10/06-2O

PROCLAMATION

RESOLVED, Declaring October 2006 as County Employee Appreciation Month, in Hunterdon.

See Page 10/10/06-3A

PROCLAMATION

RESOLVED, Recognizing Anthony Masucci for attaining the designation of Eagle Scout.

See Page 10/10/06-3B

PROCLAMATION

RESOLVED, Recognizing Jonathan Mellinger for attaining the designation of Eagle Scout.

See Page 10/10/06-3C

RESOLUTION

RESOLVED, 2006 salary for unclassified and/or non-contractual staff in the County Clerk's Office.

See Page 10/10/06-3C

RESOLUTION

RESOLVED, 2006 salaries for unclassified and/or non-contractual staff in the Surrogate's Office.

See Page 10/10/06-3E

RESOLUTION

RESOLVED, 2006 salaries for unclassified and non-contractual staff in the Sheriff's Office.

**ROLL CALL: (AYES) MR. MULLER, MR. PETERSON, MR. MELICK, MRS. PALLADINO.
(ABSENT) MS. KARROW.**

Ms. Karrow came into the meeting.

The Hunterdon County Board of Chosen Freeholders discussed Item #10, the agreement with Cynthia J. Yard to serve as County Administrator. After discussing issues concerning holding public office and the evaluation process, Ms. Karrow moved and Mr. Melick seconded a motion to remove paragraph number 12 from the agreement, dealing with the issue of running for public office.

**ROLL CALL: (AYES) MS. KARROW, MR. MELICK, MR. MULLER, MR. PETERSON,
MRS. PALLADINO.**

Ms. Karrow moved and Mr. Muller seconded this:

See Page 10/10/06-3F

RESOLUTION

RESOLVED, Approving an agreement with Cynthia Yard to serve as County Administrator.

After a question and answer session by the Board with Mr. DeSapio, paragraph No. 12 was removed from the contract that concerns running for public office.

**ROLL CALL: (AYES) MS. KARROW, MR. MULLER, MR. MELICK.
(NAYS) MR. PETERSON.
(ABSTAIN) MRS. PALLADINO.**

Mr. Peterson noted for the record he has no complaints with Mrs. Yard but does have an issue the terms of the agreement.

PUBLIC SESSION

Director Palladino opened the meeting to the public.

WWII Memorial

Anna Hoffman informed those present that she and her husband Walt, have been residents of Readington Township for 61 years. She is here today because her husband was from Whitehouse Station, New Jersey when they married.

Mrs. Hoffman is present to represent the World War II Memorial which is to be erected in Trenton, New Jersey across from the State House. There is a WWII Commission, which she is a member of. The estimated cost for the WWI Memorial is around \$6.5 million. The State of New Jersey has agreed to donate \$2 million and the rest of the funding is to be raised by the various veteran's organizations, counties and townships. The ground has already been obtained. Mrs. Hoffman provided each Board member with a packet of information. She noted that Ocean County has pledged \$2,500 towards the memorial.

Mrs. Hoffman advised the veterans have been trying to raise money for the WWII memorial since 2004. The theme of the memorial will be "Victory" and it will recognize the courage of the WWII generation, the service they gave and the duties they performed and all their sacrifices.

Mrs. Hoffman showed all a picture of Lady Victory, who will be in the center of the memorial's dome. Also on the memorial will be the lone soldier and a battleship marker. Mrs. Hoffman would be grateful if the Freeholders could help.

Ms. Karrow explained in all the years she's been a Freeholder, the Board has never contributed to anything outside of Hunterdon County, not for any not for profit, building or memorial. She is sure the County has been solicited for donations but never contributed. If the County started contributing, it would be hit hard from everyone.

Ms. Karrow personally gave a sizeable amount to the WWII memorial in honor of her father when he passed away, he was a WWII veteran.

Mr. Melick informed Mrs. Hoffman that she is getting good publicity here with all the reporters present.

Mrs. Hoffman thanked the Board for their time.

Solberg Airport/Eminent Domain

Don Baldwin, Readington Township resident, recalls in 2001 the County Freeholders created and adopted a resolution in response to the eminent domain statute in Readington Township with regard to the Solberg property. He asked if this Board of Freeholders has a position on the Solberg property in Readington and the expenditure of taxpayer money.

Director Palladino advised the Freeholder Board has not taken a position on the issue as a policy directive. The Board has watched what is going on in Readington and there was a public question answered by the people on the ballot. The County has no influence over the policies that are in the town in that respect. The Freeholders as a Board have not discussed this.

Ms. Karrow advised there was a resolution adopted in 2001 but she doesn't recall how specific it was. As a legislator she voted against the current version of the eminent domain law. She feels a statewide eminent domain law needs to start out by saying eminent domain is never okay unless it is for the following extreme reasons. Since 2001 there have been five republican primaries and six general elections and the voters have had an opportunity to get vote in those elections on a ballot referendum to fund the acquisition Mr. Baldwin is talking about. Thomas Jefferson said the will of the people is the best law. If you put the question to the public and the public keeps voting a certain way whether you agree or not, it's the will of the people. Ms. Karrow would like to see very severe eminent domain laws in the state to make it very difficult to seize private property including when government regulate the use of private property or over-regulates it. Readington continues to have elections with opportunities to change that and nothing changes.

Mr. Baldwin confirmed with Director Palladino that the Readington governing body is seeking County funding for this.

Mr. Muller advised back in 2001 public hearings were held and a meeting was held with the Solberg's. He believes the position the Freeholders took was that it was the Township's obligation the County did not have an interest in putting the kind of funding necessary into that property at the time.

Mr. Melick reported at the last Freeholder meeting, Kevin Richardson, Open Space Trust Fund Coordinator was working on a policy large requests by municipalities for donations for acquisitions and at that time, Mr. Melick said he raised the question for the Board to consider what its' position is on eminent domain and also for COAH credits being sought by the municipality. The question is how to do this equally but it appears to be political.

Mr. Melick stated Mr. Richardson received a request from Readington Township for cost share assistance towards the acquisition of the Solberg Airport. The request is for open space but that's hollow because an airport is an open space. Personally, Mr. Melick advised he is against eminent domain. He doesn't think the taxpayers in the other 25 municipalities should be in any way obligated to pay for something like this.

Mr. Peterson agreed with Ms. Karrow and advised he too is against eminent domain. Mr. Peterson doesn't feel eminent domain should be banned entirely because sometimes it serves a useful purpose. He has read the newspapers but he doesn't feel he has enough facts to know what the entire plan is, what Readington wants to purchase and what it will impact. He doesn't feel the full intentions have come out in the newspapers or what the full impact will be.

Mr. Muller left the meeting at 5:32 p.m.

BUSINESS & GOVERNMENT COUNCIL

Director Palladino recognized Suzanne Lagay, Director of the Chamber of Commerce, representing the Business & Government Council.

Ms. Lagay reported a month ago the Chamber came to the Freeholders asking representatives to join the Business & Government Council, which two Freeholders did join. This is a government forum from the Chamber of Commerce and consists of mayors and elected officials from Hunterdon's municipalities.

Ms. Lagay advised monthly meetings have been held by this group and over the course of that time there have been 15 different municipalities have attended those meetings. Resolutions were requested from the municipalities supporting the Chamber's efforts in applying for a regional coordinating grant for shared services in order to save municipalities money and 11 have been received to date.

Ms. Lagay reported the shared services coordinating grant will list the Chamber as coordinator, there are inter-local agreements to be worked out; there is the understanding of the sharing of the services and the saving of money and how that gets recorded; there will be a record of what municipalities are sharing already, what are not and what agreements can be put together to save money. The Chamber will be facilitating the coordinating, the record keeping, the logging of money saved and reporting back and other tasks.

Ms. Karrow confirmed with Ms. Lagay that her salary will be paid through the grant. She asked what happens when the grant dries out. Ms. Lagay stated this is a three year grant and a savings will need to be built into it. The Somerset County model is being modeled and the Department of Community Affairs is very eager for the Chamber to do this.

Ms. Karrow confirmed with Ms. Lagay that the grant amount is \$150,000 per year for year of the three years.

Mr. Lagay informed the Board that the Chamber has already done a Department of Public Works' survey however several municipalities have asked the Chamber to put this forth on their behalf. These municipalities are also part of the planning process and they have input on how they want the Chamber to proceed.

Mr. Muller moved and Ms. Karrow seconded this:

See Page 10/10/06-5A **RESOLUTION**

RESOLVED, Supporting and endorsing the work of the Hunterdon County Chamber of Commerce to coordinate and facilitate the shared services effort to assist municipalities with saving precious taxpayer dollars.

**ROLL CALL: (AYES) MR. MULLER, MS. KARROW, MR. MELICK, MR. PETERSON,
MRS. PALLADINO.**

Mr. Muller and Mr. Peterson left the meeting.

FINANCE

Mr. Melick moved and Ms. Karrow seconded this:

See Page 10/10/06-5B **RESOLUTION**

RESOLVED, Requesting the Division of Local Government Services insert an item of revenue in the Budget for the Multi-Jurisdictional Narcotics Task Force Grant, in the amount of \$104,163.

**ROLL CALL: (AYES) MR. MELICK, MS. KARROW, MRS. PALLADINO.
(ABSENT) MR. MULLER, MR. PETERSON.**

Ms. Karrow moved and Mr. Melick seconded this:

See Page 10/10/06-5C **RESOLUTION**

RESOLVED, Requesting the Division of Local Government Services insert an item of revenue in the Budget for HIV Counseling and Testing Grant, in the amount of \$94,600.

**ROLL CALL: (AYES) MS. KARROW, MR. MELICK, MRS. PALLADINO.
(ABSENT) MR. MULLER, MR. PETERSON.**

Ms. Karrow moved and Mr. Melick seconded this:

See Page 10/10/06-5D **RESOLUTION**

RESOLVED, Requesting the Division of Local Government Services insert an item of revenue in the Budget for the Victim Assistant Project Grant, in the amount of

**ROLL CALL: (AYES) MS. KARROW, MR. MELICK, MRS. PALLADINO.
(ABSENT) MR. MULLER, MR. PETERSON.**

Mr. Muller returned to the meeting.

Mr. Melick left the meeting.

FARMLAND PRESERVATION

Ms. Karrow moved and Mr. Muller seconded this:

See Page 10/10/06-5D **RESOLUTION**

RESOLVED, Approving a Municipal/County Cost Sharing agreement with Holland Township for acquisition of a Development Easement, (Jeness Farm), Block 21, Lot 18.

**ROLL CALL: (AYES) MS. KARROW, MR. MULLER, MRS. PALLADINO.
(ABSENT) MR. MELICK, MR. PETERSON.**

Ms. Karrow moved and Mr. Muller seconded this:

See Page 10/10/06-5E **RESOLUTION**

RESOLVED, Approving a Municipal/County Cost Sharing agreement with Readington Twp. for acquisition of a Development Easement, (Arnaudy Farm), Block 15, Lot 4.

**ROLL CALL: (AYES) MS. KARROW, MR. MULLER, MRS. PALLADINO.
(ABSENT) MR. MELICK, MR. PETERSON.**

Ms. Karrow moved and Mr. Muller seconded this:

See Page 10/10/06-6A

RESOLUTION

RESOLVED, Approving a contract for Sale of Development Rights, with Readington Township, (Arnaudy Farm), for Block 15, Lot 4, (SADC-\$253,132.80, County-\$84,377.60, Township-\$84,377.60), total amount of \$\$421,888.

**ROLL CALL: (AYES) MS. KARROW, MR. MULLER, MRS. PALLADINO.
(ABSENT) MR. MELICK, MR. PETERSON.**

Ms. Karrow moved and Mr. Muller seconded this:

See Page 10/10/06-6B

RESOLUTION

RESOLVED, Approving a contract for Sale of Development Rights, with Lisa M. Cifrese and Richard Geha, on Block 44, Lot 6, in Delaware Township, (SADC-\$166,600, County-\$47,260, Township-\$58,140), total amount of \$272,000.

**ROLL CALL: (AYES) MS. KARROW, MR. MULLER, MRS. PALLADINO.
(ABSENT) MR. MELICK, MR. PETERSON.**

Ms. Karrow moved and Mr. Muller seconded this:

See Page 10/10/06-6C

RESOLUTION

RESOLVED, Approving a Municipal/County Cost Sharing agreement with Readington, (Cuchiaro Farm), Block 39, Lot 14.

**ROLL CALL: (AYES) MS. KARROW, MR. MULLER, MRS. PALLADINO.
(ABSENT) MR. MELICK, MR. PETERSON.**

Ms. Karrow moved and Mr. Muller seconded this:

See Page 10/10/06-6D

RESOLUTION

RESOLVED, Approving a contract for Sale of Development Easement with Readington Township, (Cuchiaro Farm), for Block 39, Lot 14, (SADC-\$260,280, County-\$86,760, Township-\$86,760), total amount of \$433,800.

**ROLL CALL: (AYES) MS. KARROW, MR. MULLER, MRS. PALLADINO.
(ABSENT) MR. MELICK, MR. PETERSON.**

Director Palladino asked Sue Dziamara, Planning Board Director if the State Office of Smart Growth (OSG) has responded concerning reformatting the schedule so that Hunterdon County is not lost in the process. Ms. Dziamara advised OSG has not formally made a commitment to do that, she has had conversations with Gary Ableman of OSG, who has said he is confident that Hunterdon would be able to move forward. Hunterdon is continuing to pursue meetings with OSG staff in order to get some of the County's issues dealt with ahead of time so that OSG will feel more comfortable in moving the County forward.

Mr. Melick and Mr. Peterson returned to the meeting.

Director Palladino advised Hunterdon has one municipality pretty far along in the plan endorsement process and OSG is now mandating to two Hunterdon municipalities that are going through IDE mandating to them about center's designation. She advised a letter was sent to OSG concerning this situation originally presented in the Cross Acceptance process, in the third round, a 2004 map with environmental data that is not comparable to what the County is being feed now, two years later. The County has asked OSG to stick to the original process and use the original preliminary state development/redevelopment map because to try and pick up a new map doesn't make sense in a lot of areas and it defies any scientific justification that OSG has yet to present to the County. This is going to be a big problem for the County. Even through the process of plan endorsement is not mandatory, the thought is if you don't have plan endorsement or you are not consistent with the state plan, which has been changed again, you run the chance of having your substantive certification revoked.

Director Palladino urged Ms. Dziamara, as Planning Board Director and on behalf of the Freeholder Board to send another letter to the Office of Smart Growth saying Hunterdon wants to know when a meeting will be held because two of our communities are going through plan endorsement and others are heading towards it and a resolution is needed as to what their powers are in this process. Ms. Karrow moved and Mr. Muller seconded a motion directing Ms. Dziamara to draft a letter to OSG, requesting Hunterdon be moved up to its original date for meeting on October 15, 2006, instead of being at the end of their list.

**ROLL CALL: (AYES) MS. KARROW, MR. MULLER, MR. MELICK, MR. PETERSON,
MRS. PALLADINO.**

PROJECT UPDATE

Frank J. Bell, AIA, County Project Administrator, updated the Board on various County projects and facilities.

- Key Tech is on site at the Emergency Services project doing material testing. Footings are being poured today and tomorrow.
- The south side of the cornice for the Hall of Records is complete.
- The Echo Hill project is complete except for the rails for the stairs at the walkway.
- The deed books have been moved to the historic court house for the duration of the renovations to the Hall of Records.
- A temporary sign for the County Clerk's area in the historic Court House was discussed. The Board felt since the project is to last only a year, not to spend the taxpayers money for a temporary sign. Mr. Bell was directed to talk with the Traffic Maintenance Department to see if they could assist with a temporary sign for the Clerk's area.

Mr. Muller left the meeting.

PURCHASING

Ms. Karrow moved and Mr. Melick seconded this:

See Page 10/10/06-7A **RESOLUTION**

RESOLVED, Approving Requisition #23229, with M&W Communications, for 26 Instalert Receivers, for the Department of Public Safety, in the amount of \$12,580.

ROLL CALL: (AYES) MS. KARROW, MR. MELICK, MR. PETERSON, MRS. PALLADINO.
(ABSENT) MR. MULLER.

Ms. Karrow moved and Mr. Melick seconded this:

See Page 10/10/06-7B **RESOLUTION**

RESOLVED, Approving Requisition #27840, with Stempler Drapery & Carpet, for carpet at the Youth Facility, for the Buildings and Maintenance Department, in the amount of \$12,846.41.

ROLL CALL: (AYES) MS. KARROW, MR. MELICK, MR. PETERSON, MRS. PALLADINO.
(ABSENT) MR. MULLER.

Ms. Karrow moved and Mr. Peterson seconded this:

See Page 10/10/06-7C **RESOLUTION**

RESOLVED, Approving Requisition #PARKS.2542, with Pannier Graphics, for fiberglass embedded panels, layout and design, and low profile exhibit frame and base, for Parks and Recreation, in the amount of \$7,575.

ROLL CALL: (AYES) MS. KARROW, MR. PETERSON, MR. MELICK, MRS. PALLADINO,
(ABSENT) MR. MULLER.

Ms. Karrow moved and Mr. Peterson seconded this:

See Page 10/10/06-7D **RESOLUTION**

RESOLVED, Approving County Competitive Contract #2006-25, for Golf Course Operations and Management Services at the Heron Glen Golf Course, to Kemper Sports Management, in the amount of \$420,000, for a five year contract.

ROLL CALL: (AYES) MS. KARROW, MR. PETERSON, MR. MELICK, MRS. PALLADINO,
(ABSENT) MR. MULLER.

Delaware Township

Director Palladino recognized Mayor Madden of Delaware Township. She informed the Mayor that John Glynn, Director, Roads, Bridges and Engineering is not present tonight.

Mayor Madden approached the Board concerning their appeal to the Hunterdon County Planning Board in connection with County Route 604. He requested on behalf of the Township of Delaware that members of the Freeholder Board, members of the County Planning Board and Delaware Township's Planning Board meet to discuss the Route 604 issue to see if there isn't a way to work something out without having to go through the entire, expensive planning process with Delaware's planners and the County's planners. He recommended everyone meet at the site to look at it, to also look at the traffic patterns and to discuss and look at all the development in that area.

Mr. Muller returned to the meeting.

Ms. Karrow noted that Freeholders Melick and Muller are liaisons to the Roads and Bridges Department and should look at the situation. She advised she has been opposed to widening roads in Hunterdon County since before becoming a Freeholder.

Director Palladino stated the Freeholders Melick and Muller will meet with Delaware Township's representatives. She also directed the Planning Board Director be present at the meeting. Mr. Muller advised he did visit the site last week with Mr. Glynn.

Mr. Peterson asked if a motion is necessary so Delaware Township can extend their right to appeal. Mr. DeSapio confirmed that should be done, but the Freeholders should set another deadline. Ms. Dziamara explained if Delaware Township wishes to extend that deadline, they need to formally request an extension so the Planning Board can accept it and set a new deadline.

Mr. DeSapio asked Mayor Madden for a letter from the Township agreeing to an extension and it can be voted on at the next Planning Board meeting. Mr. DeSapio will review the statute for the next meeting.

OPEN SPACE

Kevin Richardson, Open Space Trust Fund Coordinator, advised a draft policy for municipal partnering and various requests was discussed at the September 26, 2006 meeting, and he was authorized to expound and articulate certain areas of the policy. He was directed to define what "extraordinary" preservation projects mean/are intended to mean. Simply, extraordinary is what is beyond what is ordinary or highly exceptional. Extraordinary preservation projects for this emerging policy are intended to mean a municipal acquisition of land which is under intense development pressure to effect an immediate change in desired public outcome.

Ms. Karrow stated the Solberg Airport which is not under intense development pressure would not qualify under that definition as "extraordinary". Mr. Richardson stated this deals with lands that are under intense inordinate development pressure. Ms. Karrow doesn't feel Hunterdon should be buying land that is not under intense development pressure.

Mr. Richardson pointed out that there is a reference in the policy to the County Open Space, Recreation and Farmland Preservation and Historic Preservation Trust Fund and the ballot question which said the County's funds are specifically for the purchase of lands prioritized to slow down residential growth.

Mr. Melick asked what is more open than an airport. Mr. Richardson said it is always going to be subjective. Mr. Melick told Mr. Richardson that no matter what his effort are, it is always going to be what the Freeholders decide.

Mr. DeSapio said the section where municipalities pay for the acquisition in advance; he feels someone should check with Bond Counsel as to whether it is lawful to reimburse municipalities after they have already paid for the acquisition. He's not sure what the basis is for reimbursing a municipality for an expense.

Mr. DeSapio when this was discussed at the last meeting, the State Agriculture Development Board (SADC) had not yet introduced their new regulations for reimbursement under the Farmland project. If you are acquiring or reimbursing a municipality on the expectation that the property is going to be put in farmland preservation and the County will get its money back, the County needs to consider the SADC's new policy which is going to be if you pre-acquire a property and resell it and you resell it for more than you originally acquired it, even though there is a time value to money and appreciation of value that occurs over time with the property, you will not get any money back. Does the Board want to factor that into the consideration. The same issue would apply the section which deals with the agreement in advance to share in the acquisition costs. If you are doing this because its anticipated the property will be put in farmland preservation and get money back, you make want to factor something in the County's policy if no money is received back.

Mr. DeSapio advised on page 10 it mentions memorandums of agreements. He stated memorandums of agreement should not be used when the County is not under an emergency situation.

Mr. Peterson asked Mr. Richardson for a couple scenarios on transactions that have already occurred and how this would have impacted them. He is interested in seeing how this actually works.

Director Palladino confirmed that things are changing at the state level and feels the County has to adopt its policies to make sure that everyone in the process is treated fairly. She feels Mr. Richardson has done a great job in drafting this policy.

Mr. Richardson explained before the County had a formal policy, there was a previous request acted on, in Delaware Township which is parallel to the County's situation with the Staet and the SADC with the Kanach Farm and the County's auction, that if the County is sharing in the profits we are also agreeing and binding ourselves to share in the losses. That is something he has purposely tried to avoid in that the County is single focused and minded in preserving the property and letting others, either by themselves or in concert with the County dictate and determine how the property gets preserved and who gets what funds back. He is concerned about the area of the County sharing in loses. Director Palladino said her understanding is that the County does not have to go that far because a deal is a deal, once the final papers are signed.

Mr. Richardson advised the policy was prepared and written absent any particular municipality or any reference to any emerging requests. This policy was done prior to any requests by Readington Township regarding the Solberg airport. The policy was written based solely on objectivity and merit.

Mr. DeSapio asked if the policy mentions anything about evaluating the environmental constraints on a property that would interfere with development before the County decides to fund it. Mr. Richardson advised it isn't specifically mentioned but in his mind and perspective as these types of extraordinary preservation projects have already proven to be highly developable either through one or more municipal actions, land use boards, approvals that include site plan approval, major subdivision where the lots have already been approved. This is one of the issues he hasn't settled on yet is whether or not it is part of an intensive residential development and major subdivision which we expound and try to quantify what that means because in a lot of municipal land use ordinances a major development is four or more lots. He isn't concerned with a major subdivision that is a four lot development compared to looking at intense development where the density allotment is 1 unit per acre or less or 1.5 units per acre or more.

Mr. DeSapio confirmed the policy does not say there has to be a minimum of so many units. Mr. Richardson said he would like to revisit that issue to see if it should be clarified what is meant.

Mr. DeSapio said there is a point system in the policy which mentions points are given if the property has preliminary or final approval and for concept design. He said if a property doesn't have either of those, it doesn't say the property won't be considered so it raises the question if there are environmental constraints. He feels there should be something, such as negative points for environmental constraints. Mr. Richardson advised he has been considering if there should be negative point values if the property is highly constrained and there is a conceptual plan and the likelihood of obtaining final approval is remote because of the inherent environmental constraints on the property. After further discussion, Mr. Richardson was directed to further refine and hone in on all the issues with the policy and report back at the next meeting.

CORRESPONDENCE

A request was received from the Health Department for permission on behalf of the Latino Healthcare Committee to have the County's Department of Central Printing and Mail, print a newsletter monthly to assist in getting information out to the Hispanic population. The Central Printing and Mail has provided a quote for the work for one month. Denise Doolan, Clerk of the Board reported she discussed this with Bob Thurgarland, Director of Central Printing and Mail since this work would be expected to be done each month and Mr. Thurgarland advised the Print Shop does get extra busy at various times of the year and he may not be able to do the print work. Ms. Karrow thought the Latino Healthcare Committee was part of the County. Mrs. Yard stated this is a gray area, and the Committee used to be under Human Services when it was the Latino Task Force but it was always in concert with the County Health Department. One of the staff members in Human Services was like an exclusive staff person of the Task Force; it was then given to Public Health Nursing through the Health Department because it had to do with health fairs and well baby clinics. The Latino Task Force receives no money from the County's Human Services Department; they are kind of, of the Public Health Nursing entity but this is one of the County's partnerships with the Hunterdon Medical Center. Mrs. Yard said Mr. Thurgarland was under the impression the work to be done was for one month and when Mrs. Doolan reached out to him, he advised he could not guarantee that this is going to not involve overtime.

Mrs. Yard advised this is a monthly newsletter and the Hunterdon Medical Center receives funding from the County's Allocations through Human Services. The Medical Center receives funding for other services but the Latino Healthcare Committee is not one of the services which receives support from allocations. After further discussion the Board directed Mrs. Doolan to inform the Health Department that this request should go through the Human Services Allocation process if it is a prioritized need for the County. Ms. Karrow felt this would be precedent setting if it were approved by the Freeholders and not sent through the allocations process.

GRANTS

Ms. Karrow moved and Mr. Muller seconded this:

See Page 10/10/06-9A

RESOLUTION

RESOLVED, Approving a subgrant award from the New Jersey Division of Criminal Justice, Office of Victim-Witness Advocacy, for the SANE/SART project, in the amount of \$102,877, (Federal Funds-\$80,302, County match-\$20,576).

ROLL CALL: (AYES) MS. KARROW, MR. MULLER, MR. MELICK, MR. PETERSON, MRS. PALLADINO.

Ms. Karrow moved and Mr. Muller seconded this:

See Page 01/10/06-9B

RESOLUTION

RESOLVED, Approving an application under the Megan's Law Sex Offender Central Internet Registry Grant program, in the amount of \$2,040.

ROLL CALL: (AYES) MS. KARROW, MR. MULLER, MR. MELICK, MR. PETERSON, MRS. PALLADINO.

FOR DISCUSSION

It was noted that resolutions have been received from the Townships of Bethlehem and Clinton, concerning the County's litigation regarding deer pick-up.

Mr. Muller feels the Freeholders need to move forward in the removal of deer carcass removal based on these resolutions and it is his own personal evaluation that the County should award a contract proposed for removal on all County roads. He recommended Hunterdon take a similar

course of action to that of Morris County, in that the paid bill be sent to the state for reimbursement.

Mr. Muller moved and Ms. Karrow seconded a motion to enter into a contract with George Wunder for the removal of deer carcasses along County roads and that the County advises its municipalities that deer are being picked up on County roads only.

Ms. Karrow feels the County's position has caused every Freeholder Board in the State of New Jersey to be angry at the state and they are dogging their legislators with hostile calls. Mr. DeSapio does not feel entering into a contract for deer carcass removal will impact Hunterdon's litigation and he doesn't feel it's a legal problem for the litigation. He doesn't think it will impact the litigation.

Mr. Melick recommended the County can't pick up the deer itself. He advised years ago game wardens picked up the dead deer carcasses. Mr. Muller feels the Freeholders have a responsible to take action on this to take care of the nuisance. Mr. Melick said these carcasses can be taken to the Transfer Station, it is legal for that. Director Palladino said in speaking with Mr. Glynn he did not seem favorable to having County personnel pick up deer.

Mr. Peterson asked about the cost in the contract for deer removal. John Davenport, Purchasing Agent reported the quotes received for a three month period was \$45 per carcass. Mr. Peterson agreed the County needs to get the deer removed from the roads, at the charge of \$45 per carcass.

Ms. Karrow confirmed the bills for deer carcass removal on County roads will be sent to the state for reimbursement. Mr. Peterson confirmed Hunterdon is entering into an agreement to have the deer carcasses picked up, starting as soon as possible at \$45 per carcass, the invoices will be paid and sent to the state notifying they have been paid and request the state reimburse the County. Mr. Davenport advised the contract cannot be extended to the municipalities at this time because the quote was put out with language that the price was good for the County and the municipalities but not as a cooperative where everyone was joined but that the municipalities would be notified that this service was available and they need to pay for it themselves.

**ROLL CALL: (AYES) MR. MULLER, MS. KARROW, MR. PETERSON, MRS. PALLADINO.
(NAY) MR. MELICK.**

FREEHOLDERS COMMENTS

Deer Removal Lawsuit

Mr. Peterson said he agrees with Bethlehem and Clinton Townships, and he feels Raritan Township also sent the County their resolutions opposing the County's lawsuit for deer removal. He asked if there is any chance the lawsuit could result in the municipalities being responsible to pick up deer not just on municipal roads but also on the County's roads. Mr. DeSapio stated the County isn't asking for that relief so the state would have to ask a judge to rule, so at this point no. If it was, it would have to be because the state asked the judge to rule that way. He explained the state is now going to have to say what their philosophy is concerning deer and whether they do consider themselves the protectors of the deer. The state is going to have to answer how they can say that a municipality or the County could be responsible for picking up dead deer on private property. He read that the Commissioner of Transportation has said that picking up deer along the road is no different than if a tree falls in the road but it is because the state has a regulation that says they have to be picked up from private property in the backyard. He is waiting to see the state's answer.

Radios

Director Palladino advised Harry Heller of the Division of Emergency Services of the Department of Public Safety was looking into the quotes for 424 radio units back in August. She asked the status of that quote. Mrs. Yard was directed to investigate this further and report back to the Board.

There being no further business to come before the Board, Director Palladino adjourned the meeting at 6:59 p.m.

Respectfully submitted,

Denise B. Doolan
Clerk of the Board