

MINUTES**April 29, 1998**

The Board of Chosen Freeholders of the County of Warren met with municipal elected and appointed officials on Wednesday, April 29, 1998 at 7:55 p.m. in the Wayne Dumont Jr. Administration Building, 165 County Road 519 South, Belvidere, New Jersey.

The meeting was called to order by Director Dickey and upon roll call the following members were present: Freeholder Susan Dickey, Freeholder Stephen Lance and Freeholder Ann Stone.

The Pledge of Allegiance to the Flag was led by Director Dickey.

Director Dickey read the following statement: "ADEQUATE NOTICE OF THIS MEETING WAS GIVEN IN ACCORDANCE WITH THE OPEN PUBLIC MEETINGS ACT BY FORWARDING A SCHEDULE OF SPECIAL MEETINGS OF THE BOARD OF CHOSEN FREEHOLDERS TO THE WARREN COUNTY CLERK, THE STAR/GAZETTE, BLAIRSTOWN PRESS, THE NEWS, STAR-LEDGER AND THE EXPRESS-TIMES AND BY POSTING A COPY THEREOF ON THE BULLETIN BOARD IN THE OFFICE OF THE BOARD OF CHOSEN FREEHOLDERS. FORMAL ACTION MAY BE TAKEN BY THE BOARD OF CHOSEN FREEHOLDERS AT THIS MEETING. PUBLIC PARTICIPATION IS ENCOURAGED. IN ORDER TO ASSURE FULL PUBLIC PARTICIPATION, THOSE INDIVIDUALS WITH DISABILITIES WHO WISH TO ATTEND THE MEETING SHOULD SUBMIT ANY REQUESTS FOR SPECIAL ACCOMMODATION ONE WEEK IN ADVANCE".

RESOLUTION 300-98

On motion by Mrs. Stone, seconded by Mr. Lance, the following resolution was unanimously adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held April 22 1998.

RESOLUTION OPPOSING THE PROPOSED TRANSFER OF THE OFFICE OF STATE PLANNING FROM THE NEW JERSEY DEPARTMENT OF TREASURY TO THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS.

WHEREAS, the State Planning Commission and Office of State Planning were established within the NJ Department of Treasury pursuant to N.J.S.A. 52:18A-197 and 201 respectively, and

WHEREAS, the rationale implied for establishing the State Planning Commission and Office of State Planning within the Department of Treasury was to ensure that neutral department would house the State Planning functions by ensuring that no one state department that has the authority to adopt administrative planning and regulatory procedures would have undue influence on the State Plan, and

WHEREAS, Governor Whitman announced in her Fiscal Year 1999 Budget Report and in her Executive Reorganization Plan of her intention to transfer the Office of state Planning from the Department of Treasury to the Department of Community Affairs, and

WHEREAS, the Reorganization Plan was filed with the Legislature on March 30, 1998 and will become effective on May 29, 1998 unless both Houses of Legislature rejects it, and

WHEREAS, the Reorganization Plan published in the NJ Register states that "This Plan will also foster the development of comprehensive planning strategies by consolidating within the Department of Community Affairs the State's planning and land use development functions", and

WHEREAS, The Department of Community Affairs is currently responsible for

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implementing the Uniform Site Improvement Standards act through the Site Improvement Advisory board; and

WHEREAS, the Department of Community Affairs will be responsible for implementing the State Planning Act through the State Planning commission and Office of State Planning, and

WHEREAS, the Department's of Community affairs regulatory authority is defined in N.J.S.A. 27D-9.3 where it states that the department is subjected to the Administrative Procedures Act and that the "Commissioner of the Department of Community Affairs shall adopt all regulations to effectuate the purposes of this Act"; and

WHEREAS, the Warren County Report on Cross Acceptance identifies the proposed transfer of the State Planning Commission and Office of State Planning to the Department of Community Affairs as one of a sequence of events that has occurred over the last several years that lead one to believe that the State is on the verge of usurping local control over planning and zoning matters.

NOW, THEREFORE, BE IT RESOLVED the Board of Chosen Freeholders of the County of Warren supports the right of municipalities to plan and zone for themselves and opposes the transfer of the State Planning Commission and the Office of State Planning from the Department of Treasury to the Department of Community Affairs.

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to all Warren county governing bodies, the twenty Freeholder Boards in New Jersey, and the Warren County legislative delegation.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren on the date above mentioned.

s/Naomi J. Stout, Deputy Clerk

ROLL CALL: Mrs. Stone: yes Mr. Lance: yes Mrs. Dickey: yes

Marc Pfeiffer, Division of Local Services, made a presentation on the impact of deregulation of electric service. Mr. Pfeiffer indicated that it is not really deregulation, but restructuring of the energy industry. It includes natural gas and electric. The delivery parts of the system will continue to be regulated. The supplier side of the equation will be subject to market competition. For the next six months, the debate on this issue will be the biggest debate in the state. Consumers will have choices whom to buy their energy from. The providers will likely become involved in ancillary services, such as making a deal if you buy energy and telephone or other services from the same company. There will an effect on government.

First - when the price of energy is no longer regulated, it will be subject to the public contracts law. These items will need to be bid if your usage is over the bid threshold. Second - gas, electric, streetlights, control lights, etc. will be included in the usage. The poles and bulbs and other items will be separate from the energy.

Government needs to determine energy used, the type of energy and related issues. Generally, the more you buy, the better the price, which is referred to as aggregation. When the state goes out for goods, it does not include local government needs. The state does not get a price advantage as it is an unknown number. Local governments may buy at the same price under the contract but the price is not negotiated on the larger volume.

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In energy, in order to bid, the agent must know the type and amount of energy needed. The price is volume sensitive. The better the information, the better the price. If you go cooperative, you need to decide who you are going to go cooperative with, as you must commit up front. It was suggested that you might want to hire a consultant.

Municipalities may aggregate for all their residents and businesses. They can opt in or opt out. If a municipality aggregates, all residents are in unless they specifically opt out. If you allow them to opt in, you will not know the volume, which will affect the price. It is a very complex issue, not as simple as many thought. The Board of Public Utilities is working on a bill. A big issue is consumer protection and another is how to cover the utilities' stranded debt.

There were comments from the audience. Most expressed the belief that this plan would not actually result in any savings. It may increase costs elsewhere even if it does lead to a small energy price reduction. Changing providers must be done in writing. There were concerns as to who would explain all these changes to the public.

Michael Kovacs, Washington Township, brought up the subject of out of county burning.

Matt Noctor, Chief of the Washington Township Fire Company, said the delay in fixing the fire tower at the fire school requires trainees to go out of county for the fire training at a cost of \$500. He did not think the project was moving ahead very well.

County Engineer Hicks said the design for the fire escape is finished, but we are short of the money needed to bid. We need to find additional funds to get the tower operational. With the Public Safety Director and Fire School Administrator working on the issues, the program is improving. Mr. Noctor asked if the board would commit the additional funds needed. The estimate is for \$60-65,000 and the budget includes about \$30,000. Mrs. Dickey said she will ask the CFO to try to find the funds needed to finish the project. Mr. Hicks stated that there was never an annual amount to maintain the area in the capital budget. Until the new structure was in place, nobody was available to follow through. Mrs. Dickey stated that once the project is done, it will need to be maintained. Mr. Noctor thought it always got put off. Mrs. Dickey responded that they will work with the department to improve the operations.

Pat Rivoli gave an overview of the problems and changes required by regulations that caused the delays.

The Deputy Emergency Management Director addressed the meeting to ask mayors to work with the local coordinators to get information back to the county. There are some problems receiving the needed information back. If an emergency occurs and the local coordinator has not done the job, the mayor is ultimately responsible. The mayors present were given a packet of information. The school annex is important, as is the veterinary annex. The county department needs the answers so it can meet its obligations.

Tim McDonough of Hope Township stated that he hoped the county continued to watch the energy aggregation issue. He repeated his concerns about traffic in Hope. Some

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