

MINUTES

FEBRUARY 9, 2011

The Board of Chosen Freeholders of the County of Warren met in Budget Session in its offices in the Wayne Dumont, Jr. Administration Building, Belvidere, New Jersey on February 9, 2011 at 5:35 p.m.

The meeting was called to order by Director Chamberlain and upon roll call, the following members were present: Freeholder Everett Chamberlain, Freeholder Richard Gardner and Freeholder Jason Sarnoski. Also attending were Fiscal Analyst Dan Olshefski, County CFO Charles Houck and County Administrator Steve Marvin.

The Pledge of Allegiance was led by Director Chamberlain.

Director Chamberlain read the following statement: **“ADEQUATE NOTICE OF THIS MEETING OF FEBRUARY 9, 2011 WAS GIVEN IN ACCORDANCE WITH THE OPEN PUBLIC MEETINGS ACT BY FORWARDING A SCHEDULE OF REGULAR MEETINGS OF THE BOARD OF CHOSEN FREEHOLDERS TO THE WARREN COUNTY CLERK, THE STAR-LEDGER, AND DAILY RECORD 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.”**

Regarding the Library Budget, Mr. Olshefski pointed out a decrease in revenue due to a cut in State aid. The library tax rate for participating municipalities stands at 4.8 cents, the same as last year. Before that, it was 5.2 cents. Mr. Chamberlain noted the Federation Agreement with Phillipsburg costs the County \$660,000 per year. The biggest increase was in pension obligations which is typical and the same across the County.

Moving on to Open Space, Mr. Houck said it was prepared based on the rate staying the same. This isn't really a budget, but rather a report. Funds can be appropriated to different categories. Mr. Sarnoski said since we're generating this money, he hoped we're using these funds now when we can get good prices for land. Mr. Gardner said there is an ebb and flow to the application process. There's no guarantee of how much will be allocated each year in terms of encumbered contracts and the State may not always make funds available for these programs. Mr. Chamberlain said this is one tax the public actually voted for.

Mr. Sarnoski said this is a program he has always supported and thinks it should continue, he just didn't want to see us keep increasing this fund without spending the money, especially at a time when more can be acquired for less.

Mr. Chamberlain said first, you need a willing seller. Mr. Gardner said the whole process is kind of cumbersome and it is often not easy to expedite it. There are two appraisal processes and then it has to go back to the State Agriculture Development Committee.

When Mr. Chamberlain opened up to Public Comments, Prosecutor Scott Ferguson asked how much is to be spent in the coming year on Open Space acquisitions. Mr. Chamberlain said there is a \$4,600,000 in encumbered funds and a reserve of \$13 million that can be encumbered. Mr. Sarnoski noted that an additional \$7.7 million was being

generated this year. Mr. Ferguson wanted to know how much was in the pipeline. Mr. Chamberlain said he didn't know and it was hard to say considering the long and complicated

MINUTES**FEBRUARY 9, 2011**

process that had just been alluded to.

This portion of the meeting concluded at 5:51 p.m.

Mr. Marvin then went over a number of personnel requests distributed to the Board in spreadsheet format, providing further details and noting a few changes. Departments impacted included Purchasing, Human Services Administration and TASS, Election Board and County Clerk, Road Department, Weights & Measures and Public Safety with the Fire Coordinator being increased to full-time status. There would be resolutions reflecting this report at budget adoption if the Freeholders approve.

Mr. Gardner said he supported Fire Academy Coordinator Joe Fox for full-time. He's done a phenomenal job and his training program is extensive. I think it's a great service to our municipal communities and firefighters. Mr. Sarnoski agreed, saying he has received glowing recommendations from a number of prominent fire and public safety associations. Mr. Fox puts in a lot of hours for which he is not currently being paid and Mr. Sarnoski thought that over time, more money will be generated by this program than is being spent.

For the benefit of the public, Mr. Marvin explained why the program is run out of Warren County Community College. He said four or five years ago, a Fire Academy Trainer was injured in the course of training and problems were encountered with Workers' Comp Insurance because the person was not a direct employee. Making the person a direct employee would have subjected the person to Civil Service constraints and possible removal. As a solution, the college is an employing agent and not subject to Civil Service procedures.

The Board's attention then turned to the CAP calculation which Mr. Houck said was still a work in progress because we don't have all the information required to finalize it as of yet, but given the information we do have, we do not have a CAP limitation problem for 2011. However, he urged the Board to pass a resolution prior to budget introduction to increase the 1977 CAP limitation to 3 ½ percent to allow for additional CAP banking for 2012.

Mr. Houck said in doing the calculations, we're closer on the 2 ½ percent CAP versus the 2 percent hard CAP due to all the exceptions and also reductions in debt service and appropriation for capital. The calculations have become extremely complex to do, but we are not in danger of exceeding the CAP in either calculation this year.

Mr. Chamberlain said as this is likely our final Budget Meeting, he asked if there were any questions or concerns regarding any of the departments. Mr. Sarnoski said he noticed that budgeted salaries were moved out of the Prosecutor's Office and put into provisional adjustment for unfilled jobs. Mr. Chamberlain said he thought we had an opportunity to reduce taxation and the size of government. Regarding the Prosecutor's Office, he had a couple of concerns. There is a resolution pending to approve the salary for the new First Assistant Prosecutor, an individual whose salary is slated to increase 62 percent from \$83,000 to \$135,000. Mr. Chamberlain thought there were several vacancies due to retirements that he viewed as an opportunity to make some reductions. He went into detail regarding the number of positions by job title. He thought there were about 61 full-time and

one part-time existing positions and said compared to neighboring counties with similar population bases, it seems heavy from an administrative standpoint. He said an organizational chart was requested of the Prosecutor and it has not been received. Mr. Chamberlain thought this was an opportunity to look at reducing some of the employee lines through attrition. He thought it was incumbent upon the Freeholders to discuss and possibly reduce, the size of departments.

MINUTES**FEBRUARY 9, 2011**

Mr. Sarnoski asked what specific positions Mr. Chamberlain had in mind to cut. Mr. Chamberlain said he would examine limiting the Assistant Prosecutor lines from 12 to 10. He thought we could go from five Sergeants to four since we have a Chief of Detectives plus a Deputy Chief; from three Senior Investigators to two; from 11 Investigators to 10 and there are 18 clerical lines, one of which appears to be vacant already. Prosecutor Ferguson said that position has been filled.

Mr. Sarnoski said these suggested cuts were far more extensive than he thought were under consideration by the Freeholders. "I can't say that I'm in favor of the massive cuts you're talking about right now."

Prosecutor Ferguson said with all due respect to Mr. Chamberlain and his desire to protect the taxpayers, what you're proposing is something that would make it totally impossible to perform the mission of the Warren County Prosecutor's Office. We are thin now. The former Prosecutor reduced people, I voluntarily reduced people ... we're running as thin as we can now. Mr. Ferguson said further reductions would jeopardize public safety.

Regarding the First Assistant Prosecutor position, Mr. Ferguson said he is actually reducing the salary because former First AP Angela Borkowski was making \$140,000 and Kelly Shelton is being promoted to the position for \$135,000. Mr. Ferguson said the average pay for a First Assistant Prosecutor in the State of New Jersey is \$145,000. Mr. Ferguson wanted to keep the Assistant Prosecutor position Kelly Shelton just left vacant so his successor would have the option of moving her back into it.

Mr. Ferguson said you have to have a Deputy Chief of Detectives. He did not know of any other county that doesn't have none. "We're not top heavy," he said. Regarding Assistant Prosecutors, Mr. Ferguson talked about the different divisions, including Narcotics, Sex Crimes, Major Crimes, Domestic Violence and Juvenile Crimes, each of which needs to be headed up by an AP.

Mr. Ferguson said you want to compare us to Hunterdon County. They have 25 detectives to our 23 if we're fully staffed and they don't have nearly the crime rate we do. The average AP salary in Hunterdon is \$96,000 and \$100,000 in Sussex versus \$87,000 in Warren. "I think I have done an excellent job fiscally handling that office," Mr. Ferguson said, adding that he saved \$315,000 in salaries during his tenure through bringing in cheaper personnel or not replacing people upon retirements. And in terms of crimes, Mr. Ferguson said there is no comparison between Warren and Hunterdon or Sussex in terms of violent crimes, sex crimes and Megan's Law registrants. "It's a joke," he said. They don't have nearly the amount of serious crime we have. It's statistically irrefutable.

Acknowledging that he would not be in the job for another full-term, Mr. Ferguson said he wasn't pleading with the Board for himself, but for the office and the next Prosecutor. The local law enforcement agencies rely on us.

Regarding local police departments, Mr. Gardner said since some of them have their own detectives, is there any overlap? Mr. Ferguson said no. If there's a homicide, you ask them if they can handle that case without our help. There's a lot to it in terms of interrogation techniques, legal issues, etc.

Mr. Gardner was concerned about the crime rate and wondered if transient crime or gang-related activity was responsible for part of that. Mr. Ferguson said he didn't think transients were

MINUTES**FEBRUARY 9, 2011**

much of a factor and while there is some gang activity in the southern part of the county, it's nothing Phillipsburg can't handle.

Mr. Ferguson said you are running a thin office here and to cut even one person, lawyer or detective - it would seriously jeopardize the safety of the citizens of Warren County. He said he's all for Chris Christie and the 2 percent CAP and has always tried to run the office that way. He said if given a chance to work the numbers out with Steve Marvin, he would save the county money.

Mr. Chamberlain said he didn't think this discussion was about making draconian cuts, but about becoming a little leaner and more efficient if possible. He repeated that he thought there was opportunity here to reduce the cost to the taxpayers of Warren County. He would like to see costs back to last year's level rather than the roughly \$300,000 requested above last year. Mr. Ferguson said it's impossible to break the contract with the police union that provided raises for the next couple of years, but I can offer you savings by bringing people into these jobs for less than what their predecessors were making.

Speaking for himself, Mr. Sarnoski said he appreciated Mr. Ferguson saying he was going to work to cut the budget. I don't feel the same way as Mr. Chamberlain on this issue. I don't feel it's the right time to be cutting prosecutors when we see some of the crime statistics we're faced with. Comparing ourselves to Hunterdon and Sussex is like comparing apples to oranges. "Not everyone on this Board feels the same way," he said.

Mr. Gardner added that demographically, we are very similar to our neighbors and he wanted to know why crime was going up. Mr. Ferguson said it's not really going up, it's just what you've got here. The Lehigh Valley is a big player here. I can't explain why; the other counties just don't have it. We get quite a bit of business from Phillipsburg and Washington and Warren County has a lower per capita income than Hunterdon and probably Sussex. "It is what it is," Mr. Ferguson said. He had gone back to 2008 to compile the statistic and it hasn't really increased during that timeframe.

Mr. Ferguson pleaded to retain all positions in the office, again stating he could lower costs. Mr. Chamberlain repeated that he viewed this as an opportunity to save the taxpayers some money. If a position has been vacant for a year, do we really need it? With Mr. Ferguson slated to be replaced as Prosecutor, Mr. Chamberlain thought it made sense to let the incoming Prosecutor come in and argue to replace it. Mr. Ferguson asked how it was possible to take a job away with a 2 percent CAP and bring it back again. Mr. Chamberlain said it's more difficult, but he was sure there are ways to do it.

Some discussion ensued regarding specific individuals and recently created vacancies. To summarize, Mr. Marvin said there are currently four vacancies, three AP's and one Lieutenant. Though Mr. Chamberlain had suggested moving \$250,000 out of the Prosecutor's Salaries & Wages line over to provisional employees and salary adjustments, that doesn't mean there are any fewer positions in the Prosecutor's Office. Unless and until there are specific resolutions abolishing positions, there is no change. Mr. Marvin said he has not been directed to prepare any such resolutions.

With only a few minutes left before the scheduled start of another meeting, Mr. Chamberlain opened up to Public Comments.

Jim McDonald, Police Chief of Washington Township which also covers Oxford and Washington Borough, who is also President of the Warren County Chiefs Association, approached the Board. He said we all recognize the challenging economic times we're in right now, but staff reductions in the Prosecutor's Office would have an adverse financial impact on every municipal

MINUTES**FEBRUARY 9, 2011**

police department in the county. From a taxpayer standpoint, he likened it to taking money from one pocket and putting it in the other. We share services with the Prosecutor in narcotics cases. Drug networks are countywide and officers are sent to help gain valuable experience. You say you view this as an opportunity, but unlike some other departments where certain projects can be put off, we don't dictate our workload. It's dependent upon crime and motor vehicle accidents. He cited a few examples of burden shifting to the local departments including increased response time of the new Medical Examiner's Office. In the case of an unattended death, an officer must wait until someone from the ME's Office arrives, incurring overtime costs. Mr. Marvin didn't see why there would be a long wait since the new ME hired most of the same investigators as Dr. Mihalakis used.

Chief McDonald said the economy affects crime rates too. Phillipsburg seems to have an armed robbery about once a week so far this year. These cases need to be properly investigated and prosecuted. He didn't think this was the time to reduce law enforcement. If these positions in the Prosecutor's Office were valuable last year, how could they be any less valuable this year?

Both Mr. Sarnoski and Mr. Chamberlain restated their respective positions on the issue as they had each made clear earlier.

Mr. Marvin wanted to talk about budget introduction and adoption and asked Mr. Olshefski to share the latest on the Road Department's budget. Due to the severe winter weather, it has been hit pretty hard with overtime costs for plowing and salting. Year to date, \$126,000 in overtime has already been paid out and additional salt purchases will likely be required since we have all of February, plus November and December still to come. This is excessive compared to the last two years. Mr. Olshefski was seeking to put an additional \$50,000 to \$60,000 in OE and \$35,000 to \$50,000 in S&W in the Road Department's budget.

With the meeting running overtime and several issues still to be resolved, Mr. Sarnoski suggested scheduling an additional Budget Meeting.

On motion by Mr. Sarnoski, seconded by Mr. Gardner, **SCHEDULED A BUDGET MEETING ON THURSDAY, MARCH 10, 2011 AT 7:00 P.M. IN THE FREEHOLDERS' MEETING ROOM IN THE WAYNE DUMONT, JR. ADMINISTRATION BUILDING, 165 COUNTY ROUTE 519 SOUTH, BELVIDERE, NEW JERSEY 07823.**

Recorded Vote: Mr. Sarnoski yes, Mr. Gardner yes, Mr. Chamberlain yes

Having run over the allotted time for the Budget Session, Mr. Chamberlain said any members of the public wishing to make further comments will be welcome to do so in the context of the Regular Session about to begin.

On motion by Mr. Gardner, seconded by Mr. Sarnoski, and there being no further business to come before the Board at this time, the meeting was adjourned at 7:05 p.m.

Recorded Vote: Mr. Sarnoski yes, Mr. Gardner yes, Mr. Chamberlain yes

ATTESTED TO:

Steve Marvin, Clerk of the Board