

MINUTES

JANUARY 12, 2019

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 January 12, 2019 at 9:00 a.m.

The meeting was called to order by Director Sarnoski and upon roll call, the following members were present: Freeholder James Kern, III, Freeholder Richard Gardner and Freeholder Jason Sarnoski. Also attending were County Administrator Steve Marvin, County CFO Dan Olshefski, Fiscal Analyst Kim Francisco and Deputy County Administrator Alex Lazorisak.

The Pledge of Allegiance was led by Director Sarnoski.

Mr. Sarnoski read the following statement: **“ADEQUATE NOTICE OF THIS MEETING OF JANUARY 12, 2019 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.”**

In terms of an overview, Mr. Olshefski said the only open matter was the cost for medical. We may get new rates on May 1, which could affect the budget. He had expected some information by today, but still had not received it. Further, we requested any rate changes be in line with our budget calendar.

Prosecutor Richard Burke came forward to go over his budget. While too expensive to purchase in a single year, he gave the Board a “heads up” that he wanted to plan to budget for a Leica system for the future. The instrument currently used to investigate accident scenes is from the 1990s. The Leica system is much more accurate and only requires one person to set it up.

Mr. Burke thanked the Freeholders for having approved the establishment of a Cyber Crime unit a couple of years ago. This area has grown exponentially, he said. “There’s so much data out there on different devices,” said Mr. Burke, noting a current case involving a smart refrigerator. Three more people are working in the unit now. In 2015, they investigated 14 cell phones. In 2018, they handled 56 cases, but with more devices. He foresaw a need to expand this unit, and it would benefit from the purchase of a GrayKey to unlock cell phones. Mr. Sarnoski asked about the potential of obtaining grant funds for personnel. Mr. Burke said grant money is out there, but he was not aware of any right now, specific to this area. He thought there should really be someone on staff looking out for grants at all times, and keeping up with existing ones.

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Last year a line item had been established for specialized vehicles, starting with \$33,000 and adding \$63,000 this year. This line item will continue to build for the Prosecutor and a couple of other departments requiring specialized vehicles. Regarding motor pool, Mr. Lazorisak said they were in pretty good shape. The Prosecutor is allotted 35 vehicles, but has 40. A few are courtesy of grants. Mr. Burke was pleased that a lower percentage of his allotted vehicles have high mileage, an improvement over years ago.

Mr. Lazorisak talked about the merits of selling the property currently occupied by the Narcotics Task Force (NTF) and relocating that operation to Warren Acres. He thought the property could fetch \$300,000, which could then go to the Prosecutor's forfeiture fund.

Since New Jersey is considered a sanctuary state, federal narcotics grant funding is being held back. Mr. Burke thought they would have to release the funds eventually. If not, Mr. Sarnoski reminded him that it has always been the Board's policy that when grants go away, the personnel associated with them also goes away.

The challenge of staying within the two percent cap was discussed. Mr. Burke said he didn't have enough people to keep up with an increase in OPRA requests and animal cruelty investigations, and he really didn't know how to do it with the restrictive cap. State mandates without funding was largely to blame, inspiring a "State mandate/State pay" discourse. Mr. Sarnoski asked Mr. Burke to compile a specific list of requirements mandated - but not funded - by the state.

Mr. Burke requested no new personnel this year. He said he had come close to using up his entire overtime budget, but some staffers have been amenable to utilizing flextime, which should help. Mr. Marvin said he should simply put together an MOU with the Personnel Department.

Mr. Sarnoski told Mr. Burke he appreciated the level budget this year, but some of the matters we are discussing are long-term goals. Not wanting to appear insensitive, he asked if Mr. Burke had any idea how long he would remain as Prosecutor due to the new administration. Mr. Burke did not know.

After two years of Bail Reform, Mr. Sarnoski asked about its impacts on the department. Mr. Burke said most affected are the Assistant Prosecutors' hours, and shifting people around. He said the APs have been great about it, but unfortunately, they are not eligible for overtime. He was afraid of losing good people.

This portion of the meeting concluded at 9:41 a.m., at which time Sheriff Jim McDonald came before the Board to discuss his budget. He said he was able to juggle things to stay within the two percent cap, reducing his OE by \$8,000, but his S&W increased.

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Sheriff McDonald's first concern was the outdated camera system at the courthouse. With an eight-day retention, he said it was in violation of the State's 30-day retention requirement. He said there is also a delay in the system, and the clarity is very poor.

Further detailed discussion ensued with Mr. Lazorisak. He said the notification system had been previously approved, and upgrades were being addressed in a fire alarm line item in his budget. He agreed the cameras were an issue when it comes to recording, with only six terabytes. "There needs to be an upgrade, there's no question," Mr. Lazorisak said. A number of issues complicate the matter. More cameras were added in the Phase II renovation, and this is an analog system running on coaxial cable. Running more cables is a problem due to asbestos. He said upgrading all cameras to an IP-based system simply could not be done in that courthouse. Mr. Lazorisak said it comes down to the splitter and the recorder. The more capacity the recorder has, the clearer the picture will be, and without the delay.

The Sheriff had submitted the back page of a quote from a particular company, and Mr. Lazorisak requested the entire proposal to gain a full understanding of its scope. Mr. Lazorisak advised hiring an engineer to look at this. Otherwise, various companies will come in and want to sell their cameras, plus there were maintenance contracts to consider. No matter what, cameras buried in friable asbestos is an issue. A wireless system would run into issues, too, due to the steel. The Board decided to budget \$40,000 this year for the security camera issue: \$30,000 to update the recorder to address the video quality and extend the retention time to 30 days, and \$10,000 for an engineering study to seek a long-term solution.

Sheriff McDonald thought some of his department's maintenance service contracts were costly, and didn't understand why he was being charged for parts and labor for things that should be included in the contract. Mr. Lazorisak said he used to have control over all such contracts (Prosecutor's Office, Courthouse, Correctional Center, etc.). "It got too complicated," he said, "That's why we carved it up and gave it to the individual departments." Mr. Lazorisak advised the Sheriff to familiarize himself with the terms of his contracts, and challenge any questionable charges. Warden McCarthy has made a number of challenges, resulting in the County not having to pay. Further, any issues or loopholes should be brought to the attention of the Purchasing Department, so they can be addressed in future contract language.

There was a brief discussion regarding personnel, as there had been a contract settlement in 2018 resulting in increased S&W.

With Sheriff Sales generating significant annual revenue that Sheriff McDonald thought he could predict for the next two to three years, he asked about having some of it go to a dedicated account for his department as needs arise. Mr. Olshefski said he already has a dedicated trust account, which has increased modestly, but what we can put into that is very limited by statute. Discussion ensued, noting that the Sheriff was getting both of his capital requests fulfilled, as well as two new vehicles.

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This portion of the meeting concluded at 9:51 a.m., at which time Warden Ken McCarthy approached to the Board to elaborate on the budget for the Correctional Center. Warden McCarthy said with no urgency for purchases this year, he looked for opportunities to realize savings. Prior to Bail Reform, the average daily population at the jail was 94; now it is about 80. Food service costs have decreased, but medical services is “the biggest nut,” as the contracted standard rate of pay is based on a population of 150. Today the population is 73. There are provisions if the population rises, but not when it goes down. There will be attempts to address this when the contract comes up for renewal.

Overtime costs were down 30 percent, resulting in \$87,000 in savings. This was achieved partially by staggering the shifts of two inmate transport teams. A grant to combat the opioid crisis was utilized to purchase medication, saving \$10,000.

Mr. McCarthy talked a bit about the Corrections Labor Assistance Program (CLAP), in which people are sentenced to work weekends throughout the County on various projects, including recycling and helping at the Farmers’ Fair. “It’s a great thing for the County,” the Warden said. He said they did about \$50,000 worth of work last year.

The fingerprinting system at the jail was outdated – they were no longer able to get upgrades on it – and after researching for a replacement, the Warden found that by placing the order by October 15, 2018 he was able to save about \$5,500. After conferring with Mr. Olshefski, he took advantage of that savings.

The only other request was to retrofit the two transport vehicles (Ford Explorers) with plastic back seats with new seatbelt systems so the officers will no longer have to reach over the inmates to clip them in. This comes standard in all police vehicles now.

With the understanding the personnel matters would be discussed at the end of the budget process based on the County Administrator’s recommendations, Mr. McCarthy singled out one individual he recommended for a salary adjustment.

Mr. Marvin asked about the Attorney General’s new guidelines on handling ICE. Having taken a mandatory online workshop the previous day, Mr. McCarthy said it would limit us a little bit more going forward. He said we don’t have that much traffic involving ICE but we are cooperating when it applies. Additional forms and protocol will now be required. “I hope we follow all federal laws,” Mr. Sarnoski said, “We’re not a sanctuary county.”

Mr. Lazorisak asked how the video conferencing between the jail and the courthouse was working out. “Very well,” said the Warden, noting they work with municipalities and that it cuts down on transports.

There was a brief discussion regarding juvenile detention. Warren contracts with Morris County to house juveniles, and there is just one detainee who has been in for about a month,

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and that is unusually long. We pay Morris for five beds per day, but we have never reached that number. The most has been three.

“Thank you for your great leadership,” Mr. Gardner said to Warden McCarthy. This portion of the meeting concluded at 10:09 a.m., at which time the group took a short break.

Public Safety Director Frank Wheatley came before the Board when it reconvened at 10:16 a.m. The first topic was the alarm system, and the concept of the Communications Center monitoring all County facilities. Currently, there are various contracts. An alarm goes off, and an out-of-state company calls the 911 Center to report a breach. This was “food for thought,” as a detailed cost/benefit analysis had yet to be conducted, but would presumably result in savings.

The department’s OE increased 10.9 percent, largely due to the anticipation of the implementation of the Land Mobile Radio (LMR) system. This system should cover the dead spots in the county and improve radio communication in big box stores and schools. Last year, they had requested a \$1.2 million split tower site, and the Board asked him to go back to the drawing board. “This is the alternative that we came up with,” said Mr. Wheatley. It has been out for BETA testing to police departments, and they have been pleased. There also has to be municipal buy-in. It will be similar to paying for monthly cell phone service. Communication will be through the data line, not cell service. Connection to a Wi-Fi system is required. Should there be a power failure and Wi-Fi goes down, the system would fail. While not perfect, it is better than what we have now, and does address the inherent dead spots in the County. Lt. Jason Tarsi provided a bit of a demonstration with the device. There were a few more questions and answers before moving on to other topics.

Personnel and vehicles were briefly discussed. The individual currently handling IT matters at Public Safety is retiring on March 29. The Freeholders authorized bringing in a replacement ahead of time to allow for overlap training during the transition.

Regarding capital requests. Mr. Wheatley said, “We’re just working on buttoning up our 2018 projects,” namely the simulcasting of central and south, putting our equipment on the Alpha tower, the acquisition of the Jonestown tower. After working through some estate issues, Mr. Wheatley said, “We are acquiring a tower that is very valuable to the County at a very reduced cost.” Mr. Lazorisak asked about the possibility of soliciting to cell phone companies to lease space from us. Mr. Wheatley said yes, he would like to start collecting rent on the valuable space on any of our cell towers.

Mr. Sarnoski inquired about radio communications issues in the Hackettstown municipal building/police station brought to his attention by Hackettstown’s public safety liaison recently. He asked what the frequency issues were, and whether the LMR system can fix this. Mr. Wheatley launched into a lengthy history. Three frequencies are owned by municipalities: Phillipsburg, Alpha and Hackettstown. There has never been a problem with Phillipsburg or Alpha, but the County’s relationship with Hackettstown has been “abrasive” for many years.

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The situation did not get better when the 911 Center stopped administering overnight parking enforcement in the town. Hackettstown insists the County uses its frequency, which is worth something. Mr. Wheatley said we don't use the frequency; Mansfield, Independence and Blairstown use it. "We just push a button. They're the end users," he said. If they want to charge money for use of the frequency, they should charge those municipalities.

Former Freeholder Ed Smith had suggested TuWay Communications come in to conduct a study to see about addressing the radio issues. More contentiousness followed, leading the County to go out and find other frequencies, and abandon the TuWay study. Mr. Wheatley said Hackettstown wants the County to pay for anything pertaining to communications. More historical details followed. Mr. Sarnoski decided to have a meeting with Hackettstown officials, offering them the option of the County arranging for TuWay to conduct the test, as long as the town pays for it, and provide a cost estimate. Regardless, Mr. Wheatley thought the LMR system was going to be the solution. They would only have to switch cell phone vendors.

Mr. Olshefski provided an analysis and strategy for current and future Public Safety capital needs. Funds for the recently purchased voting machines were drawn from this account, and we are now putting that money back. The last Communications Center upgrade was paid for out of Homeland Security grant funds, and it will be due for another upgrade in three or four years. The diversion of 911 fees by the State was mentioned. Mr. Marvin said the good news is that the Feds are now onto it. "Maybe that will straighten the State out," he said.

Mr. Sarnoski then asked Deputy Emergency Management Coordinator Bill Hunt to come forward, before launching into a lengthy discussion regarding flood hazard mitigation properties. Around the year 2015, the federal government introduced a repetitive loss relief program for homeowners in the flood plain. The aim was to purchase properties up to \$500,000, do studies, rehabilitate them, return them to the municipalities, obtain reimbursement from FEMA, and then keep it going. Tetra Tech did a study. A regional program, Warren County took on the role as primary administrator for both Warren and Hunterdon Counties. There was supposed to be no cost to the County nor to the homeowners.

Twenty properties worth about \$6 million – 10 in Hunterdon and 10 in Warren – enrolled in the program. For the most part, things have been moving along as expected, but problems have arisen with a few properties. Having contracted the services of Finelli Consulting Engineers to implement the program, the Freeholders authorized a Phase II environmental study involving Brockerhoff Environmental after initial findings of hazardous materials on four properties. Additional contaminants were detected, requiring remediation. This presented two issues: the County now owes Brockerhoff \$27,000 and will have to pay the bill. The other problem is that the homeowners are now required to pay for the remediation, estimated to be about \$10,000 per property. One homeowner is going to pay, two are considering it, and the fourth cannot afford it.

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It was hoped this could be paid for out of a contingency fund containing \$275,000, but FEMA will not allow it. Mr. Hunt is pursuing an appeal to FEMA. The County has not yet filed for its first reimbursement. It was agreed to move forward with two previously scheduled home demolitions in late January, apply for reimbursement due so far, then cease all action on this program until the first round of reimbursement is received from the State through FEMA.

If the appeal is successful, the Board hoped to be able to reimburse the property owners faced with remediation expenses. This hope was rather dim, as Mr. Lazorisak said the grant was quite specific that it would not pay for remediation. Mr. Marvin directed Mr. Hunt to find it in writing where FEMA stated there would be no cost.

"It's truly unfortunate... we feel terrible about this," Mr. Wheatley said. Mr. Sarnoski said we need to give the homeowners the most accurate and timely information possible, as they were pursuing purchasing other homes. Now their timeline will be perhaps eight months longer than planned. Mr. Marvin noted it took FEMA six years to close the account on Hurricane Irene.

Mr. Sarnoski said after we get through this current round, and figure out the next batch that we've started, he thought we really needed to pause and determine if we want to continue the program. Administering the program is not as easy as we were led to believe. Further discussion ensued regarding the merits of the program and potential source of contamination. Mr. Sarnoski expected members of the public to attend the Board's January 23 regular session meeting, and requested Mr. Wheatley and Mr. Hunt be there as well.

On motion by Mr. Kern, seconded by Mr. Gardner, and there being no further business before the Board at this time the meeting was adjourned at 11:19 a.m.

ATTESTED TO:

Steve Marvin, Clerk of the Board