

April 12, 2011

A SPECIAL MEETING of the Board of Chosen Freeholders of the County of Somerset was held on the above date at 7:00 P.M.

The Pledge of Allegiance to the Flag was led by Director Zaborowski

Director Zaborowski stated that the meeting was in compliance with the Open Public Meetings Act and that adequate notice was provided on January 7, 2011 as follows:

1. Mailed to the Star Ledger, the Home News, and the Courier News.
2. Posted on the Official County Bulletin Board.
3. Filed with the County Clerk.
4. Distributed to all persons requesting such information.

Roll Call -----

PRESENT: Scaglione, Ciattarelli, Palmer, Walsh, Zaborowski
ABSENT: None
ALSO PRESENT: County Administrator Amorosa, County Counsel Robertson, and Representatives from all County Departments and Divisions.

**MRS. WALSH INTRODUCED THE FOLLOWING RESOLUTION
AND MOVED ITS ADOPTION:**

R11-171

BOARD OF CHOSEN FREEHOLDERS SOMERSET COUNTY, NEW JERSEY

RESOLUTION ADOPTING LEVY CAP TO
BE APPLIED TO THE 2011 COUNTY BUDGET

WHEREAS, the county has introduced its 2011 County budget which is scheduled for adoption by the Somerset County Board of Chosen Freeholders on April 12, 2011; and

WHEREAS, the County's Budget has to be reviewed and approved by the Division of Local Government Services within the New Jersey Department of Community Affairs; and

WHEREAS, the Division has reviewed the County's Budget, it has determined that the 1977 maximum allowable amount to be raised by taxation is the lower than the 2010 maximum allowable amount to be raised by taxation and is requiring that the County signify adoption of the 1977 levy cap by resolution of its Board of Chosen Freeholders; and

WHEREAS, a careful review of the New Jersey Local Budget Law which governs the formulation, approval and adoption of a County Budget, specifically N.J.S.A. 40A:4-45a(1) requires that the amount to be raised by taxation in the case of a County shall not exceed the amounts permitted under the 1977 Levy CAP Law; and

WHEREAS, based upon a review of the Local Budget Law provisions, the County Treasurer believes that the law requires the County to adhere to the levy cap provisions established pursuant to N.J.S.A. 40A:4-45.4 and 40A:4-45.45.

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Somerset that the County does hereby adopt the 1977 levy cap provisions provided for in the aforementioned statutes and that said provisions shall govern the enactment and enforcement of County's 2011 Budget.

STATEMENT

This resolution authorizes the County to adopt the 1977 levy cap provisions as they apply to the County's 2011 Budget.

THE MOTION, DULY SECONDED BY MR. PALMER, WAS ON ROLL CALL ADOPTED BY THE FOLLOWING VOTE:

YEAS: SCAGLIONE, CIATTARELLI, PALMER, WALSH, ZABOROWSKI
NAYS: NONE
ABSENT: NONE

At this time Director Zaborowski asked for a motion to place upon Public Hearing a Resolution entitled "PH11-162 -Resolution To Exceed The County Budget Appropriation Limits And To Establish A Cap Bank (N.J.S.A. 40a: 4-45.14)."

This Resolution has been properly advertised, a copy has been posted on the Official County Bulletin Board, and copies have been made available for the general public.

MR. SCAGLIONE MOVED THE PUBLIC HEARING BE OPEN.

PH11-162

**RESOLUTION TO EXCEED THE COUNTY BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a county shall limit any increase in said budget to 2.5% unless authorized by resolution to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a county may, when authorized by resolution, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Board of Chosen Freeholders of the County of Somerset in the County of Somerset finds it advisable and necessary to increase its CY 2011 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the current and future health, safety and welfare of the citizens; and

WHEREAS, the Board of Chosen Freeholders hereby determines that a 3.5% increase in the budget for said year, amounting to \$4,203,318.60 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Board of Chosen Freeholders) hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Chosen Freeholders of the County of Somerset, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2011 budget year, the final appropriations of the County of Somerset shall, in accordance with this resolution and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$4,203,318.60 and that the CY 2011 county budget for the County of Somerset be approved and adopted in accordance with this resolution; and

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this resolution as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED that a certified copy of this resolution upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Certified by me

April 12, 2011

Kathryn Quick, Deputy Clerk of the Board

RECORDED VOTE

	<u>Ayes</u>	<u>Nays</u>	<u>Abstained</u>
Director Robert Zaborowski			
Deputy Director Patricia Walsh			
Freeholder Peter Palmer			
Freeholder Jack Ciattarelli			
Freeholder Patrick Scaglione			

THE MOTION, DULY SECONDED BY MR. CIATTARELLI WAS ON ROLL CALL ADOPTED BY THE FOLLOWING VOTE:

YEAS: SCAGLIONE, CIATTARELLI, PALMER, WALSH, ZABOROWSKI
NAYS: NONE
ABSENT: NONE

Thereupon the Director declared open the Public Hearing concerning said Resolution and asked if there was anyone present who wished to be heard.

There being no one present who wished to be heard regarding this resolution, MR. SCAGLIONE MOVED THAT THE PUBLIC HEARING BE CLOSED.

THE MOTION, DULY SECONDED BY MRS. WALSH WAS ON ROLL CALL ADOPTED BY THE FOLLOWING VOTE:

YEAS: SCAGLIONE, CIATTARELLI, PALMER, WALSH, ZABOROWSKI
NAYS: NONE
ABSENT: NONE

MR. SCAGLIONE MOVED THAT THIS RESOLUTION DOES NOW PASS ON SECOND AND FINAL READING.

THE MOTION, DULY SECONDED BY MRS. WALSH WAS ON ROLL CALL ADOPTED BY THE FOLLOWING VOTE:

**YEAS: SCAGLIONE, CIATTARELLI, PALMER, WALSH, ZABOROWSKI
NAYS: NONE
ABSENT: NONE**

MR. CIATTARELLI INTRODUCED THE FOLLOWING RESOLUTION AND MOVED ITS ADOPTION:

R11-172

RESOLUTION AUTHORIZING READING OF BUDGET BY TITLE

WHEREAS, R.S. 40A:4-8 provides that the County Budget may be read by title under certain conditions; and

WHEREAS, these conditions have been met, specifically a complete copy of the approved Budget, as advertised:

1. Has been posted for at least one week prior to the date of the public hearing on the Official County Bulletin Board.
2. Has been made available for each person requesting the same during said week and during public hearing.

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Somerset, that the conditions set forth by title N.J.S.A. 40A:4-8 1a and b have been met and that the budget should be read by title.

THE MOTION, DULY SECONDED BY MRS. WALSH WAS ON ROLL CALL ADOPTED BY THE FOLLOWING VOTE:

**YEAS: SCAGLIONE, CIATTARELLI, PALMER, WALSH, ZABOROWSKI
NAYS: NONE
ABSENT: NONE**

AT THIS TIME DIRECTOR ZABOROWSKI ASKED FOR A MOTION TO PLACE UPON PUBLIC HEARING THE 2011 SOMERSET COUNTY BUDGET.

MR. PALMER MOVED THE PUBLIC HEARING BE OPEN

Please see following pages for the complete budget and separate PDF file on the web

THE MOTION, DULY SECONDED MR. SCAGLIONE, WAS ON ROLL CALL ADOPTED BY THE FOLLOWING VOTE:

**YEAS: SCAGLIONE, CIATTARELLI, PALMER, WALSH, ZABOROWSKI
NAYS: NONE
ABSENT: NONE**

Director Zaborowski asked if there was anyone present who wished to be heard regarding the 2011 Somerset County Budget.

Harry Boeslager, Griggstown, commented on the budget and said it was not a solvent budget.

There being no one else present who wished to be heard regarding this Budget Resolution, Mrs. Walsh moved that the Public Hearing be closed.

THE MOTION, DULY SECONDED BY MR. SCAGLIONE WAS ON ROLL CALL ADOPTED BY THE FOLLOWING VOTE:

**YEAS: SCAGLIONE, CIATTARELLI, PALMER, WALSH, ZABOROWSKI
NAYS: NONE
ABSENT: NONE**

MRS. WALSH MOVED THAT THE BUDGET BE ADOPTED.

THE MOTION, DULY SECONDED BY MR. SCAGLIONE WAS ON ROLL CALL ADOPTED BY THE FOLLOWING VOTE .

**YEAS: SCAGLIONE, CIATTARELLI, PALMER, WALSH, ZABOROWSKI
NAYS: NONE
ABSENT: NONE**

Mr. Palmer offered the following comments:

With the passage of the budget tonight, we've successfully concluded a five to six month trip that has been exploring the various nooks and crannies of our operations to find savings and ways to reduce cost. I am pleased tonight to note that we will once again have a budget that has no tax increase and that actually is less than last year's in terms of total spending and the tax burden for our citizens.

We've been able to do this by continuing our three-year hiring freeze, We have reviewed every position that has become vacant and have allowed only the most critical positions to be filled. There are now 149 fewer people on the county payroll than did years ago and our budget calls for the divisions and departments to continue to seek additional savings by keeping those positions vacant throughout the year. By eliminating funding for another 27 positions, vacancy savings is \$2.8 million in the 2011 budget. The total workforce reduction stands at 12%.

All county department and agencies were asked to maintain a flat or decreased budget for non-salary expenses.

The spending plan developed is less than the previous year's and one that also features a lower tax levy. The another to be raised by taxation is down by \$109,000.00 to \$168,720,100.00. The budget balances the need to maintain essential county services with the desire to fund county programs as economically as possible.

The wage freeze accepted by out non-union employees and by 16 or out 19 unions is what made the budget possible. We are somewhat unique among local governments in that we have been able to reduce the headcount without having to resort to layoffs.

Thank you to the Finance Committee and good luck next year. No one feels it is going to get any easier. Thanks also to the members of the Management Team who inherited a difficult transition.

MR. SCAGLIONE INTRODUCED THE FOLLOWING RESOLUTION AND MOVED ITS ADOPTION:

R11-173

RESOLUTION ADOPTING 2011 SOMERSET COUNTY LIBRARY BUDGET

BE IT RESOLVED by the Board of Chosen Freeholders of the County of Somerset, that for the support of the County Library there shall be assessed, levied, and collected from Somerset County municipalities (Bound Brook, Branchburg, Bridgewater, Green Brook, Hillsborough, Millstone, Montgomery, North Plainfield, Peapack/Gladstone, Rocky Hill, South Bound Brook, Warren, Watchung and Somerville) receiving the benefits of the Act for the establishment, maintenance, and upkeep of the County Library (RS 40:33-1 et seq.), the sum of \$14,540,089.00 on all real and personal property of such municipalities being the amount requested for County Library purposes during FY 2011 by the Somerset County Library Commission.

THE MOTION, DULY SECONDED BY MR. PALMER WAS ON ROLL CALL ADOPTED BY THE FOLLOWING VOTE:

YEAS: SCAGLIONE, CIATTARELLI, PALMER, WALSH, ZABOROWSKI
NAYS: NONE
ABSENT: NONE

MR. SCAGLIONE INTRODUCED THE FOLLOWING RESOLUTION AND MOVED ITS ADOPTION:

R11-174

**RESOLUTION ADOPTING 2011 SOMERSET COUNTY OPEN SPACE, RECREATION,
FARMLAND, AND
HISTORIC PRESERVATION TRUST FUND LEVY**

BE IT RESOLVED by the Board of Chosen Freeholders of the County of Somerset, that for the support of Open Space, Recreation, Farmland and Historic Preservation Trust Fund within the County, there shall be assessed and collected from all Somerset County municipalities, receiving the benefits of the Act, a levy of 3 cents per \$100 of equalized valuation for the year 2011, being the approximate amount of \$17,769,745.28 requested by the County Park Commission for such purposes during CY 2011.

THE MOTION, DULY SECONDED BY MR. PALMER WAS ON ROLL CALL ADOPTED BY THE FOLLOWING VOTE:

YEAS: SCAGLIONE, CIATTARELLI, PALMER, WALSH, ZABOROWSKI
NAYS: NONE
ABSENT: NONE

**MRS. WALSH INTRODUCED THE FOLLOWING RESOLUTION
AND MOVED ITS ADOPTION:**

R11-175

**RESOLUTION ADOPTING 2011 SOMERSET COUNTY
SALARY AND WAGES SCHEDULE**

WHEREAS, for the year 2011, salaries were determined and compensated on the basis of performance evaluations and across the board salary adjustments.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Chosen Freeholders of the County of Somerset that the Salary Administration Guidelines as fully set forth in the 2011 Budget Appropriations, in Salary and Wages, on file with the Deputy Clerk of the Board, be and the same are hereby adopted to become fully effective retroactive to January 1, 2011 for employees employed on April 12, 2011; and

BE IT FURTHER RESOLVED that in order to maintain an orderly and consistent salary structure for all county employees, the Board of Chosen Freeholders hereby recommends to the responsible Boards of the various Commissions and other bodies who have responsibility for fixing Salary Schedules, that they review the Classification and Compensation Plan and seriously consider adopting said Salary Schedule for their employees; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Finance Office directing the Compensation for the various County Employees be paid retroactive to January 1, 2011 in accordance with this Resolution.

**THE MOTION, DULY SECONDED BY MR. SCAGLIONE WAS
ON ROLL CALL ADOPTED BY THE FOLLOWING VOTE:**

YEAS: SCAGLIONE, CIATTARELLI, PALMER, WALSH, ZABOROWSKI
NAYS: NONE
ABSENT: NONE

There being no further business, Director Zaborowski adjourned the budget meeting and convened the Regular Meeting of April 12, 2011.

Kathryn Quick
Deputy Clerk of the Board