

**These minutes were approved by the Board of County Commissioners on April 23, 2024. Full texts of resolutions appear at the end of this document.*

The Board of County Commissioners of the County of Warren met in Budget Session in its offices in the Wayne Dumont, Jr. Administration Building, Belvidere New Jersey on January 13, 2024 at 9:01 a.m.

The meeting was called to order by Director Kern and upon roll call, the following members were present: Commissioner Lori Ciesla and Commissioner Deputy Director Jason Sarnoski and Commissioner Director James Kern. Also attending were County Administrator Alex Lazorisak, County CFO Kim Francisco and Deputy Commissioner Clerk Tracy Matlock.

After leading the flag salute, Director Kern confirmed with the County Administrator that the meeting notice complied with the Open Public Meetings Act, Chapter 231, P.L. 1975. He then turned to County CFO Kim Francisco for an initial overview of 2024 budget ordinances and proposals.

MEETINGS

CFO Kim Francisco provided a couple of updates since the last meeting. He mentioned the County still has not received the ratable from the Tax Board. He's hopeful he will have them by next Saturday. He is still not presenting a formal capital plan, at this time. At the end of November, the US Treasury came out with a final rule reporting of the American Rescue Plan. Funds have to be obligated by the end of 2024 and spent by the end of 2026. The US Treasury redefined "obligated." It was believed it meant we had to have a plan/budget for it. He thought we would use some of the American Rescue money to renovate the Wayne Dumont, Jr. Administration Building once the Human Service building was complete in 2024. However, "obligate" now means we must have a signed contract or purchase order by the end of 2024. This will change our plans. He, Public Works Director Hammer and County Administrator Lazorisak are reevaluating and have met every day this week to discuss capital updating. A brief discussion took place regarding organizations such as New Jersey Association of Counties (NJAC) and The National Government Finance Office (GFOA) are lobbying to undue this ruling. They are starting to realize government can't do anything efficiently, much less quickly. It was mentioned in the end it won't matter because we have plenty of capital. We're just shifting money from one to the other. We'll make sure those funds are going to be allocated by the end of this year. It's just a matter of determining if money will be coming from the American Rescue Funds or the County's funds.

Mr. Francisco turned his attention to the supply chain issues, saying things are still not back to normal. The material and labor shortages are better, but it is still hard to get projects done.

The first department on this morning's agenda is Land Preservation. As Mr. Tierney, Land Preservation Director, was approaching the Board, Mr. Francisco noted last week at the Open Space fund meeting, it did go down a little bit this year, but there is still a healthy balance of \$27 million.

Corey Tierney started by saying they had another good year in preservation. Eleven farms were preserved for 732 acres, and they closed two open space projects for 125 acres. A total of 857 acres were preserved. The cost of the farmland preservation this year for these eleven farms was

\$3,975,000. The County's share of that was \$2,251,000. The County's share got bumped up this year because they were a bit more aggressive about preserving farms. Some farms were preserved that the SADC was not cooperative on. There is still a pipeline of farms, however, it is slowing down a bit. There are fewer applications coming in. He discussed with the Agriculture Board, noting they are trying to acquire some of the farms that come up for sale, preserve them and resell them. Mr. Tierney noted they can't quite move as quickly as the private market. They are doing the best they can. There is one farm that the Agriculture Board will be proposing to the Board shortly. That will be for approximately \$750,000. He expects to be able to recover, after preservation, about \$150,000. He mentioned the farms out there are expensive. The appraisals are starting to tick up a little bit. The average price per acre for farmland has gone up a little bit. There are a lot of moving parts in farmland preservation. The strategy for the next few years will be to try to acquire more farms, preserve them and resell them. A discussion took place about the high prices and whether or not it will significantly impact our price break. Mr. Tierney explained he is waiting to see if that shows up in the appraisals. It's five times more than we normally pay. He stated he's not sure if the appraisers are going to use as a comparable sale, just given the size. Most of the farms the County acquires are 100-300 acres. It all depends on the zoning. A lot of the farms they purchased and preserved are zoned residential. The one for \$750,000 is zoned industrial. It's on the smaller size but because of that zoning, it's significantly more expensive. It's eligible for State money. They will have to go back to the State for reimbursement afterwards. It would be purchased using County funds, sell it, then they will apply to the State for contribution towards the difference, this ends up being easement value. Mr. Tierney gave the example of another farm, he doesn't think the Agriculture Board is going to recommend, but there is a farm that was in a more developed area. It was designated by the township for COA. It's a small farm, with good soils. Because of the COA development designation, there were 157 units. The appraisals for that came back in the millions for a 15 acre farm. If we were to preserve that, then the township has to move that COA somewhere else; onto other farmland. He's afraid that we're going to be chasing and driving up the price. He thinks for the most part, a lot of farms that we preserve will tend to still be around \$5,000 per acre, value for easements. If they go towards some of these larger farms and ones that may have industrial or commercial zoning, the prices are going to be much higher.

Mr. Tierney turned the topic to the State's recent passage of a new law that will provide an alternative valuation mechanism for farmland preservation. There are a few problems they are seeing with the farmland preservation program:

1. Valuation – Even when farms don't appraise as high as the ones that people hear about, they still hear about it. Their expectations are now elevated.
2. Time – Going through the process can take well over a year or two. He cited one that took three years to preserve. A lot of people just aren't willing to wait that long, especially if they are looking at selling the property. If they are looking at staying there and preserving it or passing it on, they'll work with us and wait.

The State laws are supposed to address these two issues. They are proposing a formula-based valuation. The county and state, would both appraise the farm and then they would apply the State formula. Then they can go with whichever one is higher. The law just passed. The SADC is still promulgating the regulations. He doesn't expect this to be complete for another year. He's not sure how it's going to affect our farms here in Warren County.

The next issue Mr. Tierney discussed was the State Agriculture Development Committee

(SADC). The SADC is imposing additional limitations on preserved farms. That is a concern to many farmers because it has additional strings and restrictions attached. He gave the example of proposing the Soil Protection Standards. This would limit soil disturbance on a farm to twelve percent. Ninety percent of our farms are well under that threshold. The ones they see approaching it or above, tend to be greenhouse and nursery operations. These in particular are the ones that are concerned most about the regulations. Again, it's the general idea that they are signing up for farmland preservation and they're not sure if additional restrictions are going to be placed on it in the future. They are trying to do it retroactively.

The next topic Mr. Tierney presented was Open Space. He said they continue to be very selective about the properties they preserve. They have the three natural resource areas. They are focusing on parcels that adjoin and allow to expand, when it makes sense. Otherwise they focus on the Morris Canal Greenway. In 2023, we purchased a property in Oxford to expand the Oxford Natural Resource area and connect it to Furnace Lake. They also purchased a smaller parcel that was approximate nine acres on the other side, also a part of Oxford Mountain. These are the only open space acquisitions last year.

Mr. Tierney moved on to the Municipal and Charitable Conservancy Trust Fund (MCCT). In 2023 they budgeted \$500,000. They had six applications totaling \$600,000. They weren't too far off the mark. MCCT had submitted its recommendations.

Mr. Tierney concluded by saying it's pretty typical of what they've seen in prior years. Farmland preservation is changing a bit. The market is changing. There is a little more uncertainty than in the past. He is proposing to keep the budget flat for this year. He stated they will do another robust outreach to landowners. It's a voluntary program. The real estate market is different now. There's a different landscape with the regulations in the state. Mr. Sarnoski congratulated Mr. Tierney on doing a good job with the press release on farmland preservation last year.

Mr. Kern wanted to be clear he understands correctly. If the state isn't cooperating, they're dragging their feet, there's contradictions with financing. Land Preservation has the ability to lead and pay and we can try to get those monies later? We can be a little more nimble. Mr. Tierney agreed. He thanked the Commissioners for doing that in the past. They had a couple of projects over the years where the County has purchased sizable farms and then preserved them and resold them at auction. Sometimes the SADC won't participate or they won't honor, certain valuations. The Commissioners have enabled us to preserve those without the SADC. We can preserve and then in many instances go back and get reimbursement from the state. It was commented this is not a quick process. We get our money back. At least we don't lose the farm because of it.

A discussion took place about how much of a part the municipalities are taking with preserving farmland. It was noted they have been gradually stepping back during the past ten years. It is felt that municipalities are looking more to the county and state to preserve land. The municipalities have reduced or are diverting their funds to recreational use even though there are fewer children in the county. It was noted the county can preserve land in a township/town that's not in the ADA, however, the county would be responsible for full funding unless a different funding source could be found.

In addition to preservation, the Land Preservation Department is looking to make some

improvements to the Bread Lock Center as well as the cabinet shop there. They did complete restoration, the re-siding of the main barn. There is still more work to be done on the western wing. The contractor has been out there but due to weather, it's been hit or miss. This concludes Mr. Tierney's presentation.

County Administrator Lazorisak commented that earlier he said there would be no discussion about capital budget, but he thinks a discussion about Land Preservation's capital budget should take place today. He and CFO Francisco met with Bill Gleba, County Engineer. It has been decided to reallocate funds that we have been using for the Hamlin Farm project. We have some other capital projects that are coming out of Land Preservation. Mr. Francisco said Morris Canal Plane 9, anything like that, is going to be charged to Open Space. Department of Public Works Director put some money in for the environmental education park project at Bread Lock Park. Planning Director put in for Project management for Morris Canal Trail construction, and street-scaping at the Belvidere Courthouse. We're going to continue with the lighting. We have \$120,000 in there for that. We're also going to get Mr. Tierney a new vehicle. His current one is from approximately 2001.

Mr. Gleba came forward and spoke about a bridge replacement project the Engineering Department is in the middle of at Morris Canal Plane 9. Recently, the DEP permit has been obtained. They have about \$189,000 for mitigation fee that we will have to be paid to the mitigation bank. This project has been going on for many years. The Planning Department put in for another TAP grant and now the Engineering Department's bridge project got lumped in with the Planning Department's and is going through an archeological review, even though the bridge project had been previously cleared. It was noted Engineering has been budgeting for this for quite some time through the capital budget. County Administrator and County CFO feel comfortable with this project being funded out of the Land Preservation Department. This will help offset the capital funds. These county capital appropriations will be cancelled and put back into surplus and the capital funds-reallocate for our projects this year. It will all be itemized for the Commissioners.

Commissioner Ciesla asked if there were any issues around the Morris Canal as far as with flooding. It was answered, yes at Plane 9. The Lopatcong Creek repeatedly floods. It was noted they have had to replace one bridge that leads up to Plane 9. A brief history was given of how the bridge was originally put in by a landowner and it was not an engineered bridge. It had to be closed due to the storms this past July. The flooding appears to be getting worse in the Lopatcong Creek. With the canal and the road being there, the creek has moved and now it makes two, ninety degree bends. The corridor will continue to flood even with the new bridge structure. They've had to design it to allow for flood passage through the approach roadways with dips, however, it will still flood. The new structure is going to be more than capable of handling that type of flooding with the sheeting systems that's been in place.

This concludes the presentation from Land Preservation at 9:37 a.m. At this time the Board took a short break.

At 9:41 a.m., Mr. Francisco moved the agenda along to The Division of Public Works. He mentioned Operating Expenses for Roads and Bridges are the same. Buildings and Grounds has a significant increase and that's due to the inflationary things that were discussed earlier (such as, cleaning, soap, toilet cleaner, paper towels, and contract services for cleaning).

Emily Hammer, DPW Director, gave a rundown of some of the expenses for her departments. As mentioned earlier Buildings and Grounds has increased. In regard to the cleaning services, it was a situation that had to be improved. They had to get a better company that's doing a much better job of keeping the interior environment and the comforts of what we need for staff, in the buildings, and also for the public that they serve. More contracted, outside services have been added which includes exterior maintenance, grounds keeping, painting as needed, just so that they're sure they can cover things as they occur. They don't want to find themselves short-staffed and not able to take care of the exteriors of the buildings as well as the grounds. Mr. Lazorisak explained there are about six vacancies and it's hard to get staff for that department. Ms. Hammer continued by saying the contracted services gives them flexibility. This way they can triage and deal with things as they come up, knowing that they have a contract available to pull in as needed.

Ms. Hammer turned her attention to another matter in Buildings and Grounds, stating in the last couple of years, they have been actively doing some cross training so they can have the different divisions of DPW working together as efficiently as possible. They are maintaining a line item for ongoing CDL training. They are slowly, but surely bringing staff in and getting in that training. Mr. Francisco commented their budget was increased last year for the training and will continue this year with about \$5,000. Mr. Lazorisak commented it costs about \$5,000 to get a CDL, so it's an investment. A retention requirement was added for anyone who goes through the training. This is bringing all the divisions together and having the flexibility that if we are in a pinch, we have more hands on deck.

Ms. Hammer moved on to the Roads and Bridges Department and she talked about the efficiencies and partnerships that happened over the past year. Now they are in a great recovery period with the storm. It's going to go on for a few years. With the projects they are in the planning and design development stage and naturally construction will be happening for quite some time. What happened during the storm itself is there was a great cohesion between Roads and Bridges. They worked together very efficiently and effectively. At the tail end of the active part of the event, the decision was made to formally bring the Bridge division over to the Roads division. The Roads and the Bridge Divisions are already physically located together, which is a great efficiency in terms of communication. They were able to find efficiency with the superintendent's role. Now there is a unified Roads and Bridges supervisory function. This has been in play for a few weeks. With three major weather events since the consolidation of that role, it has been very successful. The communication and efficiencies have been enhanced.

Lastly, Ms. Hammer spoke of the support we have received from neighboring counties. This allowed us to pick up some best practices about things we could be doing in Warren County. The key among that was Sussex County came to the table and talked with us about their internal guiderail crew that takes care of the repair of guiderails on an on-going bases when there are accidents. What her department did was purchase a guiderail truck and staff were trained. Part of the plan for 2024 is to have dedicated staff for a crew. Not only does it assist us internally, but now we have the potential to offer shared services to other counties. Mr. Lazorisak commented this is something they have looked at for years. They took advantage of the FEMA funds to purchase the truck. The one issue with guiderail is we've had contracts through Co-op to replace damaged guide rail. Contractors don't respond. So when we have a guiderail, that's been taken out, it may take several months to have it repaired. We then get in a bad position because if someone goes off the

road there, in discovery, we haven't replaced it in three months. That's very hard to defend. Usually there are police reports, so if we went through the insurance company, every guiderail accident was a \$5,000 deductible that came out of our pocket. County Counsel would have to fight to get the \$5,000 from the insurance company. At this point, we will be able to bill directly the insurance companies and who it's for and we can recoup the money. With the price of things and what we can charge with the percentage, we may actually make some money.

A discussion took place about the possibility of changing the guardrail color on County roads, from metallic to rust brown. This may assist with not making our county roads look like highways. It was suggested due to costs, to consider only placing them near historical sites. Also discussed were the various ways guardrails can be coated and which ways rust faster. County Engineer Gleba said there is a stretch of brown-coated rail in Allamuchy, along County Route 604, Willow Grove Road. The cost associated with bringing county guiderail up to standard will be approximately \$500,000 per year for the next twenty years. This does not include cost of inflation. Now that the county has its own guardrail truck, the county will start repairing guardrails in-house, small sections at a time. Ms. Hammer concluded her presentation at this time and took any questions from the Board.

Mr. Sarnoski asked for an update on the building projects, specifically timelines. The Catherine D. Hofman library should be complete in February 2025. The Human Services building move-in date is August, 2024. That includes Rutgers Co-Operative Extension as well as any client-facing human services. There will be moves between the existing buildings. The Office of Aging & Disabilities will be moving into the existing building. It will be a secure entrance so it will take away the need for clients to come into the main building, thus preventing security issues. The Office of Aging & Disabilities will have a dedicated entrance. Rutgers Co-op Extension will have its own entry on the opposite side and will be completely separate. After that's done there will be room downstairs in the Administration Building where Rutgers was and that's where Land Preservation will be. There will be space freed on the upper level of the Administration building as well. There will be modifications and a plan will be in place. Rearrangements will be made. Conversations with PCFA need to take place because they barely use the building and now with Land Preservation moving, the whole downstairs will be open. That space can be repurposed for something, perhaps the Special Services School District can be relocated. Possibilities for the space opening where the Office of Aging & Disabilities is currently include IT, moving Purchasing out of Commissioners Office and put under the control of the Finance Office. A plan will be finalized and shared with the Board.

Mr. Sarnoski brought up the Warren County Technical School and their capital budget. He asks that before the Technical School comes in to present their budget, please review the study that was completed two years ago. Review their capital plan and make sure it's solid and that this is the need we ask. He doesn't want to have issues like in the past with the Tech School asking for capital dollars. He knows they have someone at the school working with their capital budget as well as buildings and grounds. They should be here for that meeting as well. Ms. Hammer said she will do a review to see if they're on point with the plan as it was established with those five years of priorities. Mr. Sarnoski said he thinks there are some things that were changed around because of the leaky pipes they have. We have to make sure to keep on top of that.

This concludes the presentation of Public Works at 9:58 a.m.

Mr. Francisco continued on with the agenda. He commented the Engineering Department's top line went up a small fraction for inflationary items. It's been flat for many, many years. County Engineering Bill Gleba presented his budget for the Engineering Department at 9:59 a.m. He stated there's not too much different about the budget request for this year, except for the capital accounts. They're all pretty much in line with what is seen year to year. The one main item that is needed this year is a request for survey equipment. They are requesting \$18,000 to replace the existing equipment because the software is no longer being supported. Projects such as scoping alternatives, concepts and drainage system replacement for the Bridges and Roads Department are a few of the projects they use the survey equipment for. The main reason for using the equipment is to check on contractors problems in the field to verify what the information actually is.

Next Mr. Gleba talked about the project in Hardwick Township on Spring Valley Road, County Route #659. This is under their Roads budget. They are requesting an additional \$500,000 for construction costs. They anticipate that they're going to need another \$500,000 on top of the \$350,000 that was budgeted several years back. This is due to the wall system they will need to employ to reduce the footprint. They don't have a mitigation fee on the project because they had no additional right-of-way to work with. They are staying within the footprint of what they have. The cost is now in the construction and then there is the culvert crossing that will need to be put in for terrestrial wildlife. This is something that needs to be accommodated. It would be above and beyond the regular request. County Administrator commented it's a project they would like to get done and work into the capital budget. Mr. Gleba said he's optimistic they can get it out to bid this year. The optimum time to work the project clearly is when school's out and that would be the plan. DEP's restrictions end on June 15th. They will try to get it in during the summer months. If they run into an issue with the bidding process and the contractor bids they get, they would rebid it at the end of the year and hold it until the following summer or they would go to construction during the regular time.

Mr. Gleba next mentioned the guiderail replacement project. He cut that from \$500,000 to \$350,000. They do have another project they are requesting for this year, County Route #622, Hutchinson-Station Road. This is a stabilization retaining wall project that's been worked on for several years now. That's due to price escalation of costs. He explained they had banked some money prior to that. It's a partial add on. The rest of the items are typical standard, on-going programs. They have accounts to help with Road Department assistance projects. They may do in-house with them. There is a higher than usual number for right-of-way easement acquisitions this year. They have their eyes on several properties that are above and beyond the normal \$10,000 amount he put into the budget. This concludes Mr. Gleba's presentation on roads. He asked the Board if they had any questions.

A brief discussion took place about the status of road swaps with municipalities. The topic of Cat Swamp Road in Allamuchy came up. It was suggested the county try to do a shared services agreement with Allamuchy Township to help with maintaining the road. Mr. Sarnoski will reach out to the Mayor of Allamuchy to discuss further.

County Administrator commented on one final thing about the Engineer's budget. He, CFO Francisco and County Engineer Gleba sat down and they closed out several old accounts. They closed up approximately \$1 million in Roads and \$500,000 in Bridges. They will take that money, put it back, and cancel it through a future resolution. It can be re-appropriated. There are still some

outstanding monies. They canceled to 2019. There are moneys in 2020, 2021, and 2022. It was left in there in case something comes up.

Commissioner Ciesla had questions regarding micro surfacing a road and how often it is done and when to repave the road. Mr. Gleba explained they get about five years onto the roadways when they micro surface or do oil and chip or the BST to the stabilizer treatment. They can put it into the capital program instead of the operating program. They work with the Road Department because some of the pavement marking can't qualify for a five year capital. They don't last as long. They mix and match and they do have that account. Part of the reason that some of the return of funds that we can do is about \$500,000 in the resurfacing accounts from the older years. Sometimes instead of overlay or replace a road, we will try to extend its longevity with either an oil and chip program or sometimes a micro surfacing program. It mixes and matches, just depending on what we have going on. A lot of times the Road Department's looking for something to do with some of their oil and chips. They will try to take a road out of the resurfacing project and put it into that, if it's in good enough shape. Or if they need to buy time on it, some of the road swaps, we will come in and do something with the road to buy time because it does need attention immediately. That's how the account is utilized. On average the life span is thirteen years that they try to get out of a resurfacing project. However, with the material they are getting and the changes that have been made with the mix design to account for environmental concerns, they are finding some of the roads are just not holding up. It's also due to traffic, how much salt is put down on the road, particularly on hills. He explained they lose the hills very quickly because of shade, ice, salt, and things of that nature. If they see a road is failing in seven-eight years, that's when they'll come in and do a micro surfacing project to help buy them some time.

Lastly, Mr. Gleba informed the Board about legislation that was recently passed this year. It will increase the amount of recycled asphalt products into the design mixes, which is substantial. It is going to increase the percentages. It reduces the amount of virgin materials they can put into the mix design. They always find what is called a virgin mix, meaning everything from scratch, no recycled material, lasts longer.

There is an inordinate amount of recycled asphalt sitting around millings, stockpiled in these contractor yards and it's very difficult to find a place to get rid of it. Mr. Gleba's presentation concluded at 10:13 a.m.

CLOSING PUBLIC COMMENTS

None.

PRESS COMMENTS & QUESTIONS

None.

EXECUTIVE SESSION

RESOLUTION 42-24

On motion by Ms. Ciesla, seconded by Mr. Sarnoski, A RESOLUTION AUTHORIZING

EXECUTIVE SESSION OF THE WARREN COUNTY BOARD OF COUNTY COMMISSIONERS PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12 at 10:15a.m.

Recorded vote: Ms. Ciesla yes, Mr. Sarnoski yes, Mr. Kern yes

On motion by Ms. Ciesla, seconded by Mr. Sarnoski, the board adjourned Executive Session and returned to Open Session at 11:06 a.m.

Recorded vote: Ms. Ciesla, Mr. Sarnoski yes, Mr. Kern yes

ADJOURNMENT

On motion by Mr. Sarnoski, seconded by Ms. Ciesla, and there being no further business before the board, the meeting was adjourned at 11:06 a.m.

**THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF WARREN**
Wayne Dumont, Jr. Administration Building
165 County Route 519 South
Belvidere, NJ 07823

RESOLUTION 42-24

On motion by **Ms. Ciesla**, seconded by **Mr. Sarnoski**, the following resolution was unanimously adopted by the Board of County Commissioners of the County of Warren at a meeting held on January 13, 2024.

**A MOTION AUTHORIZING EXECUTIVE SESSION IN ACCORDANCE WITH THE
PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12**

WHEREAS, the Warren County Board of County Commissioners is subject to certain requirements of the *Open Public Meetings Act, N.J.S.A. 10:4-6*, et seq., and

WHEREAS, the *Open Public Meetings Act, N.J.S.A. 10:4-12*, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

NOW, THEREFORE, BE IT RESOLVED that this Board hereby excludes the public in order to discuss such matters. The general nature of the subjects to be discussed are as follows:

- (1) *Matters Relating to Litigation, Negotiations and Attorney-Client Privilege*: Items to be discussed include:
Status of various litigation: Bullock.

BE IT FURTHER RESOLVED that the Board shall disclose to the public, as soon as practicable, the contents of the discussions after the final disposition of the matters discussed.

RECORDED VOTE: Ms. Ciesla yes, Mr. Sarnoski yes, Mr. Kern yes

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

_____, Clerk
Alex J. Lazorisak

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