



COUNTY OF MERCER
McDADE ADMINISTRATION BUILDING
640 SOUTH BROAD STREET
P.O. BOX 8068
TRENTON, NEW JERSEY 08650-0068
(609) 989-6584
Fax: (609) 392-0488

JERLENE H. WORTHY, CLERK
BOARD OF COUNTY COMMISSIONERS

EBONY WITHERSPOON
DEPUTY CLERK

MERCER COUNTY BOARD OF COUNTY COMMISSIONERS

FORMAL MEETING OF MAY 25, 2023

MINUTES

Chair Walter called the Formal Meeting to order at 6:02 P.M. on May 25, 2023, in Room 211 of the Joyce L. McDade Administration Building, 640 South Broad Street, Trenton, New Jersey.

The following members of the Board answered the Roll Call of the Clerk to the Board:

Present – Commissioners Cimino, Frisby, Lewis, McLaughlin, Melker, Stokes, and Walter

The Clerk to the Board read the Invocation.

Chair Walter led the Pledge of Allegiance and Salute to the Flag.

SUNSHINE LAW

The Clerk to the Board announced that in accordance with the provisions of the New Jersey Open Public Meetings Law, notice of this Formal Meeting had been mailed to The Trenton Times, The Trentonian and The Princeton Packet newspapers as well as having been posted in both the County Administration Building and Courthouse at least forty-eight (48) hours in advance of the meeting.

At this time, Chair Walter invited members of the public to comment on any item listed on the Agenda.

Chair Walter shared with the Board that her late father served in the Navy during World War II and that her mother was a cadet nurse in the same war. Chair Walter read aloud excerpts from her father's journal. She shared that her father was lost at sea for a period of time and his family was given a gold star due to his disappearance. She said that her father was eventually found safe and then returned home. She felt that it was appropriate to take a moment to share a narrative of her family's contribution as the Country approached Memorial Day.

Mike McKitish, a resident of Robbinsville, addressed the Board. He shared that his late father also served in the Navy and was imprisoned in Germany's concentration camp. He then discussed his questions concerning the 20% increase in the 2023 Mercer County budget. Mr. McKitish requested that the Board provide updated information going forward, as it becomes available.

Chair Walter informed Mr. McKitish that the Board would return to budget discussion at a later meeting date prior to voting.

PRESENTATION
Bristol-Myers Squibb

- Jessica Cohen, Associate Director, Local Governmental Affairs
- Adam Taliaferro, Director of Strategic Alliances

Ms. Cohen and Mr. Taliaferro addressed the Board. Their presentation correlated with Resolution No. R-21, the Mercer County Board of County Commissioners recognize the last week in May as Hypertrophic Cardiomyopathy Awareness week in Mercer County.

Commissioner Frisby thanked the Board for bringing attention to this topic because he lost family members to this disease. He felt it was important to educate the community so they would recognize the risks and symptoms.

Commissioner Lewis concurred and added that due to the disease's hereditary nature it could go undiagnosed for generations. She thanked the Board as well for the discussion.

Mr. James Davy, Mayor of Pennington Borough, addressed the Board regarding his concerns with BeiGene. Mr. Davy informed the Board that BeiGene's trucks had been traveling through Pennington Borough's small business areas at all hours of the day when the Agreement gave permission to access the town's roads only after midnight. Mr. Davy was hopeful the original terms of Agreement could be adhered to. He expressed his concerns regarding the structural integrity of the, already deficient, Stoney Brook Bridge. Mr. Davy felt BeiGene would not comply with their Agreement now they were issued a permit from the County. He shared that they, evidently, did not care what happened to the town since they had already knocked down traffic lights.

Ms. Catherine Chandler, Council President of Pennington Borough, addressed the Board. Ms. Chandler spoke of BeiGene's constant trucks loads, and how Pennington Borough's business district took a big hit as residents lost access to parking spaces, and were subjected to unsafe travels to and from the area. She asked why the County inserted themselves into the matter when Pennington Borough had already made conditional agreements with BeiGene.

Mr. Davy informed the Board that the County Engineer issued BeiGene a permit earlier that day, and did so without imposing restrictions.

Ms. Lillian L. Nazzaro, Esq., County Administrator, informed Mr. Davy that the permit was issued because the County could not legally impose restrictions on access to county roads.

Commissioner Frisby concurred.

Commissioner Stokes asked Mr. Davy if a conversation with BeiGene was possible.

Mr. Davy insisted that BeiGene did not care and that their only concerns was the access through Pennington Borough to their Hopewell location. He felt that the County had leverage until BeiGene was given a permit.

Commissioner Frisby reassured them that when the County signs permits there are certain parts of it that they may not agree with but are obligated to do so by law. He asked Mr. Davy if he would have a conversation with Hopewell Township Mayor and Council to collaborate a meeting with BeiGene.

County Administrator Nazzaro informed the Board that they should refrain from further discussion involved in this matter as it was the Department of Transportation that issued the permit.

Chair Walter insisted that Mr. Davy initiate conversations with Bay Crane, the company that was contracted by BeiGene, BeiGene themselves, and Hopewell Township. She said it was not up to the Board and that the only thing the Board could do was to reach out to BeiGene on Pennington Borough's behalf.

APPROVAL OF MINUTES

On the motion of Commissioner Melker, seconded by Commissioner Stokes, the Minutes of the following meeting was approved:

Formal Meeting of November 21, 2022

VOTE ON MOTION

Ayes - 5. Nays - 0. Abstain - 2. Absent -0.

Ayes – Commissioners Cimino, Stokes, McLaughlin, Melker, and Walter
Abstain– Commissioner Frisby, and Lewis

On the motion of Commissioner Frisby, seconded by Commissioner Lewis, the Minutes of the following meeting was approved:

Reorganization Meeting of January 4, 2023

VOTE ON MOTION

Ayes - 7. Nays - 0. Abstain - 0. Absent -0.

Ayes – Commissioners Cimino, Frisby, Lewis, McLaughlin, Melker, Stokes, and Walter

COMMUNICATIONS

A communication was received from Isamar Maldonado, Purchasing Agent, dated May 5, 2023: RE: Minutes and Bid / RFP Results for the week of May 1, 2023.

A communication was received from Isamar Maldonado, Purchasing Agent, dated May 15, 2023: RE: Minutes and Bid / RFP Results for the week of May 8, 2023.

A communication was received from Lillian L. Nazzaro, Esq., County Administrator, dated May 23, 2023: RE: Commissioner Questions for May 23, 2023.

RESOLUTIONS

Ms. Jerlene H. Worthy, Clerk to the Board, advised the Commissioner Board that there was one Resolution to be added to the Agenda this evening. It would be numbered as R-24.

The Clerk to the Board called for a Motion to add the Resolution to the Agenda

Commissioner Cimino moved, second by Commissioner McLaughlin to add Resolution No. R-24 to the Agenda.

COUNTY EXECUTIVE AND CLERK TO THE BOARD AUTHORIZED TO EXECUTE A SHORT TERM OCCUPANCY AGREEMENT WITH PRINCETON (EDENS), LLC FOR THE TEMPORARY USE OF SPACE FOR EARLY VOTING. LOCATION: PRINCETON SHOPPING CENTER. PERIOD: JUNE 2, 2023 TO JUNE 4, 2023 (PRIMARY ELECTION) AND OCTOBER 28, 2023 TO NOVEMBER 5, 2023 (GENERAL ELECTION). TOTAL AMOUNT: \$1,200.00 (COUNTY FUNDS)

VOTE ON MOTION

Ayes – 7. Nays - 0. Abstain - 0. Absent -0.

Ayes – Commissioners Cimino, Frisby, Lewis, McLaughlin, Melker, Stokes, and Walter

The Clerk to the Board called for a Motion to Vote in Block on the following Resolutions listed on the Agenda.

Commissioner Frisby moved, seconded by Commissioner Cimino, that:

RESOLUTION NOS. R-1 THROUGH R-24, ON THE AGENDA “BE VOTED ON IN BLOCK”

VOTE ON MOTION

Ayes – 7. Nays - 0. Abstain - 0. Absent -0.

Ayes – Commissioners Cimino, Koontz, McLaughlin, Stokes, Walter, and Melker

Commissioner Stokes offered the following Resolutions, seconded by Commissioner Frisby:

NO. 2023-389 MERCER COUNTY BOARD OF COUNTY COMMISSIONERS AUTHORIZES COMPETITIVE CONTRACTING FOR HOMELESS SERVICES FOR MERCER COUNTY RESIDENTS IN NEED. PERIOD: JANUARY 1, 2023 THROUGH DECEMBER 31, 2025

NO. 2023-390 AMEND RESOLUTION NO. 2022-130, ADOPTED FEBRUARY 24, 2022 AND AUTHORIZE THE COUNTY EXECUTIVE AND CLERK TO THE BOARD TO EXECUTE AMENDMENT NO. 2 TO THE COMPETITIVE CONTRACT WITH RESCUE MISSION OF TRENTON FOR THE PROVISION OF EMERGENCY SHELTER SERVICES FOR HOMELESS SINGLE ADULTS AND CODE BLUE ALERT PLAN SERVICES TO SHELTER AT-RISK INDIVIDUALS. "AMEND RESOLUTION TO INCREASE THE CONTRACT AMOUNT BY AN ADDITIONAL \$130,000.00 (2023 SSH PASS-THROUGH FUNDS) PERIOD: JANUARY 1, 2023 THROUGH JUNE 30, 2023", RESULTING IN A REVISED TOTAL AMOUNT OF \$1,036,320.00. (AMENDMENT NO. 2)

NO. 2023-391 AMEND RESOLUTION NO. 2023-322, ADOPTED APRIL 27, 2023 AND AUTHORIZE THE COUNTY EXECUTIVE AND CLERK TO THE BOARD TO EXECUTE AMENDMENT NO. 1 TO THE GRANT AWARD FROM THE NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS (NACCHO) FOR THE 2023 MEDICAL RESERVE CORPS (MRC) OPERATIONAL READINESS AWARD (ORA) PROGRAM. "AMEND RESOLUTION TO EXTEND THE TIME PERIOD BY EIGHT (8) MONTHS." PERIOD: JANUARY 1, 2023 THROUGH MAY 31, 2024.

- NO. 2023-392** COUNTY EXECUTIVE AND CLERK TO THE BOARD AUTHORIZED TO EXECUTE A GRANT RENEWAL AWARD FROM THE STATE OF NEW JERSEY, DEPARTMENT OF HEALTH, DIVISION OF HIV, STD, AND TB SERVICES (DHST23TAC008), FOR TUBERCULOSIS (TB) CLINICAL, NURSING CASE MANAGEMENT AND OUTREACH SERVICES TO MERCER COUNTY RESIDENTS. PERIOD: JANUARY 1, 2023 THROUGH DECEMBER 31, 2023. AMOUNT: \$169,539.00 (\$105,051.00 [FEDERAL FUNDS]; \$64,488.00 [COUNTY MATCH FUNDS])
- NO. 2023-393** COUNTY EXECUTIVE AND CLERK TO THE BOARD AUTHORIZED TO EXECUTE A COMPETITIVE CONTRACT WITH BABYJOE ENTERTAINMENT GROUP INC., DBA MUSIC PLUS CO., TO PROVIDE ENTERTAINMENT CONSULTANT SERVICES FOR THE MERCER COUNTY DIVISION OF CULTURE & HERITAGE. PERIOD: MAY 1, 2023 THROUGH APRIL 30, 2024 WITH AN OPTION TO EXTEND FOR ONE (1) YEAR PERIOD. TOTAL AMOUNT NOT TO EXCEED: \$85,000.00 (CC2023-08)
- NO. 2023-394** COUNTY EXECUTIVE AND CLERK TO THE BOARD AUTHORIZED TO EXECUTE A COMPETITIVE CONTRACT WITH ADDICTION RECOVERY MANAGEMENT & MARKETING LLC., FOR DRUG TREATMENT SERVICES PROGRAM FOR THE MERCER COUNTY PROSECUTOR'S OFFICE. PERIOD: MARCH 1, 2023 THROUGH FEBRUARY 28, 2025. TOTAL AMOUNT NOT TO EXCEED: \$333,333.00 (CC2023-05)

NO. 2023-395

AMEND RESOLUTION NO. 2021-310 ADOPTED MAY 27, 2021 AND COUNTY EXECUTIVE AND CLERK TO THE BOARD AUTHORIZED TO EXECUTE AMENDMENT NO. 1 TO THE COMPETITIVE CONTRACT WITH ROYAL PRINTING SERVICE FOR THE PROVISION OF BALLOT PRINTING, VOTE BY MAIL ENVELOPES, AND APPLICATIONS FOR THE PRIMARY, SPECIAL, AND GENERAL ELECTIONS FOR THE MERCER COUNTY CLERK'S OFFICE. AMEND RESOLUTION TO INCREASE AMOUNT BY \$192,837.50 REVISED CONTRACT AMOUNT: \$878,917.50 CONTRACT TERMS AND PERIOD REMAIN THE SAME. (AMENDMENT NO. 1)

NO. 2023-396

COUNTY EXECUTIVE AND CLERK TO THE BOARD AUTHORIZED TO EXECUTE A PROPRIETARY SOFTWARE MAINTENANCE AND SUPPORT AGREEMENT WITH VIRTUAL OFFICEWARE DE, LLC FOR THE ELECTRONIC MEDICAL RECORD (EMR) SOFTWARE SYSTEM FOR THE MERCER COUNTY CORRECTION CENTER PERIOD: JULY 1, 2023 TO JUNE 30, 2024 WITH AN OPTION TO EXTEND ONE (1) YEAR. TOTAL AMOUNT NOT TO EXCEED: \$50,439.23 (MONTHLY FEE \$2,821.70; ONE -TIME ANNUAL FEE \$16,578.23)

NO. 2023-397

COUNTY EXECUTIVE AND CLERK TO THE BOARD AUTHORIZED TO EXECUTE A CONTRACT WITH PMC WIRELESS COMMUNICATIONS FOR THE PURCHASE OF MOUNTING HARDWARE FOR CAPITAL PROJECT FS2002 EMS MOBILE DATA TERMINALS FOR COUNTY EMS AGENCIES THROUGH THE HUNTERDON COUNTY EDUCATIONAL SERVICES COMMISSION COOPERATIVE PRICING SYSTEM. TOTAL AMOUNT NOT TO EXCEED: \$27,642.20

- NO. 2023-398** COUNTY EXECUTIVE AND CLERK TO THE BOARD AUTHORIZED TO EXECUTE AN AGREEMENT WITH INVICTUS APPS, INC., TO PROVIDE PREPARED LIVE NEXT GENERATION 9-1-1 TECHNOLOGY TO THE EMERGENCY SERVICES COMMUNICATION CENTER. PERIOD: JULY 1, 2023 THROUGH JUNE 30, 2024. NO COST TO THE COUNTY \$0.00
- NO. 2023-399** COUNTY EXECUTIVE AND CLERK TO THE BOARD AUTHORIZED TO EXECUTE A PROFESSIONAL SERVICE AGREEMENT (AWARDED THROUGH A NON-FAIR AND OPEN PROCESS) WITH THE LENOX LAW FIRM TO DEFEND THE COUNTY AND SUPERINTENDENT OF ELECTIONS CATHERINE DICOSTANZO IN CERTAIN LITIGATION ENTITLED BRUCE CAMP V. COUNTY OF MERCER, ET AL. AMOUNT NOT TO EXCEED: \$20,000.00. PERIOD: APRIL 1, 2023 THROUGH MARCH 31, 2024 (COUNTY FUNDS)
- NO. 2023-400** COUNTY EXECUTIVE AND CLERK TO THE BOARD AUTHORIZED TO EXECUTE A PROFESSIONAL SERVICE AGREEMENT (AWARDED THROUGH A NON- FAIR AND OPEN PROCESS) INSTITUTE FOR FORENSIC PSYCHOLOGY FOR THE PSYCHOLOGICAL EVALUATIONS OF NEW RECRUITS FOR THE COUNTY OF MERCER. PERIOD: APRIL 24 ,2023 THROUGH APRIL 23,2024 TOTAL AMOUNT NOT TO EXCEED: \$112,625.00
- NO. 2023-401** COUNTY EXECUTIVE AND CLERK TO THE BOARD AUTHORIZED TO EXECUTE A SHARED SERVICES AGREEMENT WITH THE CITY OF TRENTON FOR THE PROVISION OF MUNICIPAL JUDICIARY SERVICES AT BAIL REVIEW SESSIONS. PERIOD: OCTOBER 1, 2022 THROUGH SEPTEMBER 30, 2027. AMOUNT NOT TO EXCEED \$37,200.00 PER YEAR. (COUNTY FUNDS)

- NO. 2023-402** ACCEPTANCE OF PARTIAL ACQUISITION FROM PNC BANK, NATIONAL ASSOCIATION, LOCATED AT 38 PRINCETON-HIGHTSTOWN ROAD, WEST WINDSOR TOWNSHIP, NEW JERSEY, 08550, TO THE COUNTY OF MERCER, FOR THE PURPOSE OF A ROAD WIDENING PROJECT LOCATED ON PRINCETON-HIGHTSTOWN ROAD (COUNTY ROUTE 571), WEST WINDSOR TOWNSHIP, MERCER COUNTY FUNDS REQUIRED: \$17,200.00
- NO. 2023-403** ACCEPTANCE OF PERMANENT SLOPE EASEMENT, PERMANENT DRAINAGE EASEMENT & TEMPORARY CONSTRUCTION EASEMENT FROM PNC BANK, NATIONAL ASSOCIATION, LOCATED AT 38 PRINCETON-HIGHTSTOWN ROAD, WEST WINDSOR TOWNSHIP, NEW JERSEY, 08550, TO THE COUNTY OF MERCER, FOR THE PURPOSE OF A ROAD WIDENING PROJECT LOCATED ON PRINCETON-HIGHTSTOWN ROAD (COUNTY ROUTE 571), WEST WINDSOR TOWNSHIP, MERCER COUNTY FUNDS REQUIRED: \$40,300.00
- NO. 2023-404** ACCEPTANCE OF A DEED OF EASEMENT FROM HIGHGLEN CLOVER SQUARE, LLC TO THE COUNTY OF MERCER ALONG BLOCK 1603, LOTS 19.01 & 19.02, HAMILTON TOWNSHIP, MERCER COUNTY FUNDS: \$1.00
- NO. 2023-405** ACCEPTANCE OF A DEED OF EASEMENT FROM HIGHGLEN CLOVER SQUARE, LLC TO THE COUNTY OF MERCER ALONG BLOCK 1603, LOT 19.01, HAMILTON TOWNSHIP, MERCER COUNTY FUNDS: \$1.00
- NO. 2023-406** ACCEPTANCE OF A DEED OF EASEMENT FROM TOLL BROS., INC. TO THE COUNTY OF MERCER ALONG BLOCK 37, LOT 7, WEST WINDSOR TOWNSHIP, MERCER COUNTY FUNDS: \$1.00

- NO. 2023-407** ACCEPTANCE OF DEED OF DEDICATION FROM TOLL BROS., INC., TO THE COUNTY OF MERCER FOR THE PURPOSE OF ROAD WIDENING ALONG BLOCK 37, LOT 7, WEST WINDSOR TOWNSHIP, MERCER COUNTY FUNDS: \$1.00
- NO. 2023-408** COUNTY EXECUTIVE AND CLERK TO THE BOARD AUTHORIZED TO “EXERCISE AN OPTION TO EXTEND” THE AWARD OF BID CONTRACT WITH ENTERPRISE LEASING COMPANY OF PHILADELPHIA LLC., FOR LEASE OF SPACE FOR AUTO RENTAL AT THE TRENTON-MERCER AIRPORT. AMOUNT OF TEN PERCENT OF THE GROSS REVENUE DERIVED FROM AIRPORT RENTALS OR MINIMUM GUARANTEED REVENUE OF \$151,620.00 PER YEAR; MINIMUM FIXED BASE RENTAL FEE FOR COUNTER AND PARKING SPACE: \$4,374.00. PERIOD: JULY 1, 2023 THROUGH JUNE 30, 2024. (AB2021-19)
- NO. 2023-409** MERCER COUNTY BOARD OF COUNTY COMMISSIONERS RECOGNIZE THE LAST WEEK IN MAY AS HYPERTROPHIC CARDIOMYOPATHY AWARENESS WEEK IN MERCER COUNTY
- NO. 2023-410** RESCIND RESOLUTION NO. 2022-849. ADOPTED DECEMBER 8, 2022- AUTHORIZE A PROFESSIONAL SERVICE CONTRACT (AWARDED THROUGH A NON-FAIR AND OPEN PROCESS) WITH THE BRIDGES LAW GROUP, TO REPRESENT MERCER COUNTY WITH EMPLOYEE DISCIPLINARY HEARINGS AND INVESTIGATIONS. AMOUNT NOT TO EXCEED: \$50,000.00 PERIOD: SEPTEMBER 1, 2021 THROUGH AUGUST 31, 2022 (COUNTY FUNDS)

NO. 2023-411 COUNTY EXECUTIVE AND CLERK TO THE BOARD AUTHORIZED TO EXECUTE A PROFESSIONAL SERVICE CONTRACT (AWARDED THROUGH A NON-FAIR AND OPEN PROCESS) WITH THE BRIDGES LAW GROUP, TO REPRESENT MERCER COUNTY WITH EMPLOYEE DISCIPLINARY HEARINGS AND INVESTIGATIONS. AMOUNT NOT TO EXCEED: \$50,000.00. PERIOD: SEPTEMBER 1, 2022 THROUGH AUGUST 31, 2023

NO. 2023-412 COUNTY EXECUTIVE AND CLERK TO THE BOARD AUTHORIZED TO EXECUTE A SHORT TERM OCCUPANCY AGREEMENT WITH PRINCETON (EDENS), LLC FOR THE TEMPORARY USE OF SPACE FOR EARLY VOTING. LOCATION: PRINCETON SHOPPING CENTER. PERIOD: JUNE 2, 2023 TO JUNE 4, 2023 (PRIMARY ELECTION) AND OCTOBER 28, 2023 TO NOVEMBER 5, 2023 (GENERAL ELECTION). TOTAL AMOUNT: \$1,200.00 (COUNTY FUNDS)

VOTE ON RESOLUTIONS:

Ayes – 7. Nays - 0. Abstain - 0. Absent -0.

Ayes – Commissioners Cimino, Frisby, Lewis, McLaughlin, Melker, Stokes, and Walter

ORDINANCE- SECOND READING AND ADOPTION

AN ORDINANCE AMENDING ORDINANCE NO. 2015-5 ADOPTED JUNE 9, 2015 – MERCER COUNTY ORDINANCE AMENDING SPEED LIMITS ALONG BEAR TAVERN ROAD (CR 579) BETWEEN CARDINAL DRIVE AND WINDY BUSH DRIVE, TOWNSHIP OF EWING, COUNTY OF MERCER

The Clerk to the Board acknowledged receipt of a memorandum from County Executive Brian M. Hughes dated May 23, 2023, whereby he indicated that he had reviewed the above named Ordinance and found no negative overriding implication; and therefore, he recommended adoption of the Ordinance.

The Clerk to the Board announces that said Ordinance has been properly advertised in accordance with the State Statute and all requirements have been complied with.

Chair Walter announced the opening of the Public Hearing on said Ordinance. Hearing no comments or questions, she called for a motion to close the public hearing.

Commissioner Frisby moved, **“To Close the Public Hearing”**, seconds by Commissioner Melker.

VOTE ON MOTION:

Ayes – 7. Nays – 0. Abstain – 0. Absent -0.

Ayes – Commissioners Cimino, Frisby, Lewis, McLaughlin, Melker, Stokes, and Walter

Commissioner Frisby offered the following Ordinance, seconded by Commissioner Melker.

ORDINANCE NO 2023-8

AN ORDINANCE AMENDING ORDINANCE NO. 2015-5
ADOPTED JUNE 9, 2015 – MERCER COUNTY
ORDINANCE AMENDING SPEED LIMITS ALONG BEAR
TAVERN ROAD (CR 579) BETWEEN CARDINAL DRIVE
AND WINDY BUSH DRIVE, TOWNSHIP OF EWING,
COUNTY OF MERCER

VOTE ON ORDINANCE:

Ayes – 7. Nays – 0. Abstain – 0. Absent -0.

Ayes – Commissioners Cimino, Frisby, Lewis, McLaughlin, Melker, Stokes, and Walter

OLD BUSINESS

Chair Walter informed the Board that there would be a Memorial Day ceremony held at Greenwood Cemetery in Hamilton Township on Sunday, May 28, 2023.

PUBLIC SECTION

At this time, Chair Walter invited the members of the public to comment on any item listed on the agenda.

Mike McKitish, a resident of Robbinsville, addressed the Board. His concern was the voting process and he discussed in length the importance of due-diligence in the process. He also asked if the Forensic Audit was still ongoing.

Chair Walter answered that the audit would be complete by the end of June of this year.

Mr. McKitish informed the Board that he received his OPRA request and examined the data to find discrepancies. He voiced his concerns and expressed that he did not want this election failure to happen again. He insisted that the Administration should contract an independent consultant to look at the County's voting process. He said he simply needed answers; the data did not match, his vote was counted as "Vote by Machine" when he, in fact, used a paper ballot. He felt that the discrepancies were being overlooked for the sake of rushing completion of the investigative report.

ADJOURNMENT

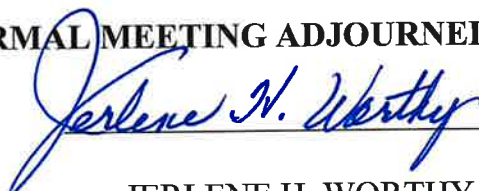
A motion to adjourn the Formal Meeting was offered by Commissioner Cimino and seconded by Commissioner Frisby, which was adopted by the unanimous vote of the members of the Mercer County Board of County Commissioners.

VOTE ON MOTION:

Ayes - 7. Nays - 0. Abstain -0. Absent -0.

Ayes - Commissioners Cimino, Frisby, Lewis, Mclaughlin, Melker, Stokes, and Walter

FORMAL MEETING ADJOURNED AT 6:57 PM



**JERLENE H. WORTHY
CLERK TO THE BOARD**



COUNTY OF MERCER
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JERLENE H. WORTHY, CLERK
BOARD OF COUNTY COMMISSIONERS

EBONY WITHERSPOON
DEPUTY CLERK

MERCER COUNTY BOARD OF COUNTY COMMISSIONERS

INFORMAL MEETING OF MAY 23, 2023

MINUTES

Chair Walter called the Formal Meeting to order at 6:01 P.M. on May 23, 2023 in Room 211 of the Joyce L. McDade Administration building, 640 South Broad Street, Trenton, New Jersey.

The following members of the Board answered the Roll Call of the Clerk to the Board:

Present – Commissioners Cimino, Frisby, Lewis, McLaughlin, Melker, Stokes, and Walter

Chair Walter led the Pledge of Allegiance and Salute to the Flag.

SUNSHINE LAW

The Clerk to the Board announced that in accordance with the provision of the New Jersey Open Public Meeting Law, notice of this Formal Meeting had been mailed to The

Trenton Times, The Trentonian and The Princeton Packet newspapers as well as having been posted in both the County Administration Building and Courthouse at least forty-eight (48) hours in advance of the meeting.

MINUTES

Formal Meeting of November 21, 2023
Reorganization Meeting of January 4, 2023

COMMUNICATIONS

Three (3) communications were discussed and approved for placement on the Agenda for the Formal Meeting of May 25, 2023.

Commissioner Lewis had a question on C-3 that correlated to Resolution No. R-7, authorizing to execute Amendment No. 1 to the Competitive Contract with Royal Printing Service for the provision of ballot printing, vote by mail envelopes, and applications for the primary, special, and general elections for the Mercer County Clerk's office. Amend Resolution to increase amount by \$192,837.50, revised contract amount: \$878,917.50. Contract terms and period remain the same. She informed the Board that she would abstain from voting on the Resolution because she was a member of Lawrence Township Council Board at the time of the adoption.

Michael Herbert, Esq., Board Counsel, also made reference to Resolution No. R-7. He informed the Board that he would recuse himself because he represents West Windsor and Hopewell Townships.

Commissioner Stokes asked Administration what recourse would be taken to recoup funds from the municipalities that had an outstanding balance from the 2021 and 2022 elections' procedures.

Lillian L. Nazzaro, Esq., County Administrator, answered that County Clerk, Paula Sollami Covello, obtained outside council to pursue those elections' balances.

Commissioner Frisby asked if County Clerk Covello had a budget for outside council.

County Administrator Nazzaro said County Clerk Covello was represented by County Counsel, and that it came from County Counsel's budget.

Paul Adezio, Esq., County Counsel, informed the Board that he represents County Clerk, Paula Sollami Covello.

County Administrator Nazzaro requested Dr. Sharon Sharp, Temporary Financial Officer, to speak in regard to the Communication as it's related to County Budget additions and cuts, and the percentage of taxes.

Dr. Sharp informed the Board that the current tax increase per cent was \$3.309 cents and the amount to be raised by taxation was now \$284,435,363.80. She said the County was within the 2.5% CAP debt model. Dr. Sharp explained her department has been working to define a timeline but is consumed by document investigations for the 2022 Annual Financial Statement report. Dr. Sharp informed the Board that the State would not consider the County's introduced budget until the 2022 AFS is complete and whence the County had depleted all eighteen trust funds.

Commissioner Lewis asked Dr. Sharp for a timeline of the budget process.

County Administrator Nazzaro informed the Board that it would be impossible to provide a list because it was unknown when the 2022 AFS would be completed.

Chair Walter informed the Board that a general list of what had to be sequentially executed was on the Department of Consumer Affairs (DCA) website.

Dr. Sharp said she could not supply the Commissioners with a work-in-progress timeline. She said details of the County's objectives would be on the Annual Debt Statement but that it would be listed by projects and not by the dollar amount.

RESOLUTIONS

Twenty-four (24) proposed Resolutions were discussed and approved for placement on the Agenda for the Formal Meeting of May 25, 2023.

Chair Walter made reference to the following proposed Resolution, R-11 authorizing to execute a Professional Service Agreement with the Lenox Law Firm to defend the County and Superintendent of Elections Catherine DiCostanzo in certain litigation entitled BRUCE CAMP V. COUNTY OF MERCER, ET AL. She asked if the former Superintendent of Elections was informed of this agreement.

County Counsel Adezio answered yes.

Chair Walter made reference to the following proposed Resolution, R-21, Mercer County Board of County Commissioners recognize the last week in May as Hypertrophic Cardiomyopathy Awareness week in Mercer County. She informed the Board that Bristol-Myers Squibb would be present at the Formal Meeting of May 25, 2023 to bring awareness to Hypertrophic Cardiomyopathy, a form of heart disease.

County Counsel Adezio requested to rescind Resolution No. 2022-849, that was adopted December 8, 2022 of last year, because it included incorrect dates. He said a new Resolution with the corrected dates would be presented to the Board for adoption.

Chair Walter asked the Board if they would allow the new corrected Resolution and the Board agreed.

ORDINANCE- ADOPTION AND SECOND READING

AN ORDINANCE AMENDING ORDINANCE NO. 2015-5
ADOPTED JUNE 9, 2015 – MERCER COUNTY
ORDINANCE AMENDING SPEED LIMITS ALONG BEAR
TAVERN ROAD (CR 579) BETWEEN CARDINAL DRIVE
AND WINDY BUSH DRIVE, TOWNSHIP OF EWING,
COUNTY OF MERCER

OLD BUSINESS

Chair Walter informed the Board that on May 11, 2023 a hearing was held by the Delaware Basin Commission. She expressed that it was disturbing that the Commissioner Board was not invited as it would have been an opportunity to be informed on DBC's objectives and/or an opportunity to offer their input. Chair Walter discussed in length the importance of access to water, the proper release of river water to control the salinity level, the dangers of improper release of river water for residents who lived down river and she felt this was an issue that residents should be aware of. She said during the four-year construction of the Delaware Aqueduct Repair Project eighty million gallons of water would be held back; this would affect the County's access to natural water supply and would affect the salination of the water that *was* accessible.

Commissioner Frisby asked the Administration for the status on hiring the Board of Elections' poll workers and asked for the number of polling sites that are still in operation.

County Administrator Nazzaro answered that the Board of Elections cut eighteen polling sites.

Commissioner Frisby asked if the County had fixed the issue concerning the amount of taxes that were being deducted from the poll worker's pay checks. He said that the job was advertised as \$300.00 but the pay checks were issued at \$270.00. He insisted that because of this discrepancy poll workers were becoming discouraged from working and potential applicants were reconsidering the job.

County Administrator Nazzaro said it was the State that was taking taxes out of the poll workers' checks.

Chair Walter informed the Board that the State website stated that election poll workers' pay was not taxable and should not be reported on the New Jersey gross income, and that the Federal website said poll workers had the option to have taxes taken out or not.

Ms. Jerlene H. Worthy, Clerk to the Board of County Commissioners, said poll workers may not have to report their earnings but would still have to pay that back at tax time.

PUBLIC SECTION

At this time Chair Walter invited the members of the public to comment on any item listed on the Agenda.

There were no comments.

ADJOURNMENT

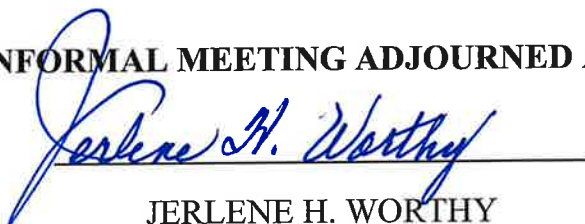
Adjournment of the Informal Meeting was offered by Commissioner Cimino and seconded by Commissioner Frisby, which was adopted by the unanimous vote of the members of the Mercer County Board of County Commissioners.

VOTE ON MOTION:

Ayes - 7. Nays - 0. Abstain -0. Absent -0.

Ayes - Commissioners Cimino, Frisby, Lewis, McLaughlin, Melker, Stokes, and
Walter

INFORMAL MEETING ADJOURNED AT 7:00 PM



**JERLENE H. WORTHY
CLERK TO THE BOARD**

KO