

MINUTES**September 11, 1996**

The Board of Chosen Freeholders of the County of Warren met in regular session in its offices in the Administration Building, Belvidere, NJ on Wednesday, September 11, 1996 at 9:45 a.m.

The meeting was called to order by Director Susan Dickey and upon roll call the following members were present: Freeholder Susan Dickey, Freeholder Ann Stone and Freeholder Kenneth Miller.

The Pledge of Allegiance to the Flag was led by Director Dickey.

Director Dickey read the following statement: "ADEQUATE NOTICE OF THIS MEETING 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/GAZETTE, BLAIRSTOWN PRESS, THE NEWS, STAR-LEDGER AND THE EXPRESS-TIMES 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".

On motion by Mrs. Stone, seconded by Mr. Miller, the executive session minutes of the regular meeting of the Board of Chosen Freeholders held August 14, 1996 were approved with a correction.

ROLL CALL: Mr. Miller: yes Mrs. Stone: yes Mrs. Dickey: yes

On motion by Mrs. Stone, seconded by Mr. Miller, the minutes of the regular meeting of the Board of Chosen Freeholders held August 28, 1996 were approved as presented.

ROLL CALL: Mr. Miller: yes Mrs. Stone: yes Mrs. Dickey: yes

On motion by Mr. Miller, seconded by Mrs. Stone, the executive session minutes of the regular meeting of the Board of Chosen Freeholders held August 28, 1996 were approved as presented.,

ROLL CALL: Mr. Miller: yes Mrs. Stone: yes Mrs. Dickey: yes

On motion by Mrs. Stone, seconded by Mr. Miller, the minutes of the special meeting of the Board of Chosen Freeholders held August 29, 1996 were approved with a correction.

ROLL CALL: Mr. Miller: yes Mrs. Stone: yes Mrs. Dickey: yes

Under public comments, Susan Lennon, Executive Director of the Office on Aging, spoke to the board regarding how we on the county level are going to incorporate comments for the elderly into the Title III Area Plan Grant. Ms. Lennon has met with some of the involved people and a letter has been submitted to the board. There will be a transfer of funding for homemaker SSBG funding and the Office on Aging will be responsible. Peer Grouping matches SSBG and it is natural to put both under one contract monitor.

Mr. Dinger commented that we have no choice in this, it is an in-house deal, Aging has an in-house account but Human Services does not utilize this. We can share resources for both departments.

Karen Kubert said that this is a good plan and she supports it.

Ellen Haussner, Staff Rep. of the WC Advisory Council for the Disabled spoke to the board regarding the bylaws for this council.

Ms. Haussner said she is also working on staggering the terms; they will do half of the

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appointments this year and the other half next year. There are 14 active members on the council. Mrs. Dickey asked if this is statutory and Ellen said no.

Ms. Haussner said they have a number of goals and the focus will be on accessibility and development of an accessibility guide. They are also considering a speakers bureau which would outreach the school system, businesses, etc. They will also be looking at the newer county buildings; OEM, Blairstown Library and the WCCC. They are also exploring grant possibilities.

Ellen will prepare a resolution for freeholder approval of the bylaws.

RESOLUTION 518-96

On motion by Mrs. Stone, seconded by Mr. Miller, the following resolution was unanimously adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held September 11, 1996.

RESOLUTION SUPPORTING THE WARREN COUNTY TRANSPORTATION POLICY MANUAL AS DEVELOPED AND APPROVED BY THE WARREN COUNTY TRANSPORTATION ADVISORY COUNCIL AND DEPARTMENT OF HUMAN SERVICES

WHEREAS, the Warren County Transportation Advisory Council (TAC) has recognized the need for a transportation policy manual to assist the existing Warren County Transportation program; and

WHEREAS, the TAC has developed a Transportation Policy Manual in cooperation with the Warren County Department of Human Services; and

WHEREAS, the TAC approved the Manual on August 8, 1996.

NOW, THEREFORE BE IT RESOLVED that the Warren County Board of Chosen Freeholders supports the Warren County Transportation Policy Manual as developed by the Transportation Advisory Council in Cooperation with the Department of Human Services

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

s/Naomi J. Stout, Deputy Clerk

ROLL CALL: Mr. Miller: yes Mrs. Stone: yes Mrs. Dickey: yes

RESOLUTION 519-96

On motion by Mrs. Stone, seconded by Mr. Miller, the following resolution was unanimously adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held September 11, 1996.

RESOLUTION IN SUPPORT OF LEGISLATION THAT WOULD REQUIRE THAT LIABILITY FOR THE LOCAL OFFICE OF THE PROSECUTOR BE CLEARLY ESTABLISHED WITH THE STATE OF NEW JERSEY

WHEREAS, there currently exists Assembly Bill #2232 and Senate Bill #1395, companion legislative initiatives that, if enacted, would provide that the state would indemnify the county prosecutor and his employees by amending the New Jersey Tort Claims Act to specifically designate the county prosecutor and his employees as state employees; and

WHEREAS, the office of the prosecutor within each county as established by N.J.S.A. 2A:158-1, et seq. is an autonomous office for which local county governments have no authority or jurisdiction to control, operate or manage; and

WHEREAS, the local county prosecutor is appointed by the Governor of the State of New Jersey and as the appointed chief law enforcement officer within that particular county, and is supervised and reports to the Office of the New Jersey Attorney General; and

WHEREAS, the Local County Government has no control over the personnel practices, hiring and firing decisions, or policies of the Local County Prosecutor; and

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WHEREAS, county governments have no ability or jurisdiction to control the activities of the Office of the County Prosecutor in any way, other than the responsibility to provide for salaries and expenses as provided in N.J.S.A. 2A:158-7, et seq.; and

WHEREAS, there has been confusion in the decisional case law concerning whether the liability for the actions of the county prosecutor should be borne by the local county government and/or by the State of New Jersey; and

WHEREAS, since the local county prosecutor reports to and is controlled by the New Jersey State Attorney General's Office and ultimately to the Governor of the State of New Jersey and since the local county government has no ability to control, operate or manage the Office of the Local County Prosecutor and/or his or her actions or policies, that statutory law ought to be clarified to provide that liability for the actions of the prosecutor be borne by the State of New Jersey,

NOW, THEREFORE, BE IT RESOLVED that the Warren County Board of Chosen Freeholders hereby requests that Warren County support legislation that would clarify and designate civil liability for the actions of the local county prosecutor to be borne by the State of New Jersey; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the clerks and boards of chosen freeholders of each of the other twenty counties within the State of New Jersey.

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

s/Naomi J. Stout, Deputy Clerk

ROLL CALL: Mr. Miller: yes Mrs. Stone: yes Mrs. Dickey: yes

RESOLUTION 520-96

On motion by Mrs. Stone, seconded by Mr. Miller, the following resolution was unanimously adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held September 11, 1996.

RESOLUTION AUTHORIZING THE FREEHOLDER DIRECTOR AND ACTING COUNTY ADMINISTRATOR TO EXECUTE AN ADDENDUM TO AN AGREEMENT BETWEEN THE BOARD OF CHOSEN FREEHOLDERS AND LOCAL 3287 WARREN COUNTY SUPERVISORS LOCAL OF AFSCME COUNCIL 73 EFFECTIVE JANUARY 1, 1994 THROUGH DECEMBER 31, 1997

BE IT HEREBY RESOLVED that the freeholder director and the acting county administrator are authorized to execute the addendum to the agreement between the Board of Chosen Freeholders of the County of Warren and Local 3287 Warren County Supervisors Local of the AFSCME Council 73 effective January 1, 1994 through December 31, 1997 as amended in the attached addendum.

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

s/Naomi J. Stout, Deputy Clerk

ROLL CALL: Mr. Miller: yes Mrs. Stone: yes Mrs. Dickey: yes

RESOLUTION 521-96

On motion by Mrs. Stone, seconded by Mr. Miller, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held September 11, 1996.

RESOLUTION APPROVING CHANGE ORDER #1 FOR CONTRACT #WC9617 WITH SPARWICK CONTRACTING, INC., FOR THE REHABILITATION OF WARREN

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**COUNTY BRIDGE #22016 PLANE HILL ROAD OVER POHATCONG CREEK,
WASHINGTON TOWNSHIP, FOR A NET INCREASE OF \$6,882.38
AND A FINAL CONTRACT AMOUNT OF \$252,224.38**

WHEREAS, Contract #WC9617 was awarded to Sparwick Contracting, Inc., of Newfoundland, New Jersey, for the Rehabilitation of Bridge #22016, Plane Hill Road over Pohatcong Creek, Washington Township, in the amount of \$245,342.00; and

WHEREAS, final as-built quantities resulted in a net increase of \$6,882.38; and

WHEREAS, said changes were ordered by the County Engineer; and

WHEREAS, adequate funds are available in account 0010280012.200 and certified by the County Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren does hereby approve Change Order #1 for the above project for a net increase of \$6,882.38 and a final contract amount of \$252,224.38.

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

s/Naomi J. Stout, Deputy Clerk

ROLL CALL: Mr. Miller: yes Mrs. Stone: yes Mrs. Dickey: yes

RESOLUTION 522-96

On motion by Mrs. Stone, seconded by Mr. Miller, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held September 11, 1996.

**RESOLUTION TO ASSUME MAINTENANCE AND OWNERSHIP OF THE
BRIDGE CONSTRUCTED AS PART OF THE TIMERWICK SUBDIVISION,
BLOCK 93, LOT 13, LOPATCONG TOWNSHIP, WARREN COUNTY
(BRIDGE TO BE DESIGNATED WARREN COUNTY #15029)**

WHEREAS, a major subdivision was constructed on Block 93, Lot 13, Lopatcong Township, which required the construction of a bridge structure to provide access; and

WHEREAS, the Warren County subdivision and site plan ordinance establishes a procedure for the County to assume ownership and maintenance of such structures; and

WHEREAS, the developer has built the bridge pursuant to County standards and reimbursed the County for all inspection costs during construction; and

WHEREAS, Lopatcong Township has requested that the County assume ownership and maintenance of the structure.

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders does hereby approve the assumption of ownership and maintenance of the structure to be designated Warren County Bridge #15029 upon the public dedication of the roadway by the Township of Lopatcong and the execution of a deed of conveyance to the County for the bridge structure.

BE IT FURTHER RESOLVED that bridge maintenance shall be limited to the bridge structure, railing, channel and sidewalk on the bridge; the roadway constructed over the bridge shall be maintained by Lopatcong Township.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Clerk of Lopatcong Township.

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

s/Naomi J. Stout, Deputy Clerk

ROLL CALL: Mr. Miller: yes Mrs. Stone: yes Mrs. Dickey: yes

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On motion by Mrs. Stone, seconded by Mr. Miller, the following resolution was unanimously adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held September 11, 1996.

RESOLUTION AUTHORIZING THE DIRECTOR OF THE BOARD TO EXECUTE AN AGREEMENT BETWEEN THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF WARREN AND POLICE BENEVOLENT ASSOCIATION LOCAL 280 (WARREN COUNTY SHERIFF'S OFFICERS AND SHERIFF'S OFFICER SERGEANTS) FOR THE PERIOD OF JANUARY 1, 1992, THROUGH DECEMBER 31, 1993

WHEREAS, the Warren County Board of Chosen Freeholders and representatives of Police Benevolent Association Local 280 (Warren County Sheriff's Officers and Sheriff's Officer Sergeants) have completed contract negotiations and have agreed to terms and conditions of employment;

NOW, THEREFORE BE IT RESOLVED by the Warren County Board of Chosen Freeholders that the Director of the Board is hereby authorized and directed to execute an agreement between the Board of Chosen Freeholders of the County of Warren and Police Benevolent Association Local 280 (Warren County Sheriff's Officers and Sheriff's Officer Sergeants) for the period of January 1, 1992, through December 31, 1993.

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

s/Naomi J. Stout, Deputy Clerk

Mr. Miller asked if this is the last contract that the freeholders will be involved with for the Sheriff's Department and Dave Wallace said yes.

ROLL CALL: Mr. Miller: yes Mrs. Stone: yes Mrs. Dickey: yes

RESOLUTION 524-96

On motion by Mrs. Stone, seconded by Mr. Miller, the following resolution was unanimously adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held September 11, 1996.

RESOLUTION AUTHORIZING WARREN COUNTY TO ENTER INTO AN ADDENDUM TO INTERLOCAL SERVICE AGREEMENT WITH SOMERSET COUNTY FOR THE PROVISION OF JUVENILE DETENTION HOUSING AND SERVICES PURSUANT TO N.J.S.A. 40:8A-1 ET SEQ

WHEREAS, the County of Warren and the County of Somerset have previously entered into an Interlocal Service Agreement for the provision of juvenile detention housing services pursuant to N.J.S.A. 40:8A-1, et seq. which was authorized by Resolution 94-342 adopted July 19, 1994; and

WHEREAS, the Counties of Somerset and Warren have determined that the best method to facilitate and accomplish the delivery of juvenile detention services would be through the continuation of the Interlocal Service Agreement between these counties; and

WHEREAS, the Counties of Somerset and Warren have negotiated an agreement to extend their agreement for a period of one (1) year, which shall terminate on July 31, 1997,

NOW, THEREFORE, BE IT RESOLVED that the Director of the Board of Chosen Freeholders of the County of Warren is authorized to execute an addendum to the Agreement between the County of Warren and the County of Somerset which will permit the extension of the existing Interlocal Service Agreement between Warren and Somerset Counties to continue for a period from August 1, 1996 through July 31, 1997, which Addendum shall extend the term of the Agreement and all existing terms and conditions, including the per

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diem reimbursement rate at an amount of \$133.25 per day, per juvenile; and

BE IT FURTHER RESOLVED that the Agreement between Warren County and Somerset County shall be effective upon the execution of the Agreement by both parties.

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

s/Naomi J. Stout, Deputy Clerk

ROLL CALL: Mr. Miller: yes Mrs. Stone: yes Mrs. Dickey: yes

RESOLUTION 525-96

On motion by Mr. Miller, seconded by Mrs. Stone, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held September 11, 1996.

RESOLUTION RE: APPROVAL OF SPECIFICATION WC96109 AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR SHIPPEN MANOR REPAIRS FOR THE WARREN COUNTY CULTURAL & HERITAGE COMMISSION

BE IT RESOLVED, that specification WC96109 for Shippen Manor Repairs for the Warren County Cultural & Heritage Commission is hereby approved

BE IT FURTHER RESOLVED, that the Director of Purchasing is hereby directed to advertise for bids for the above in the Star Gazette

Funds for this contract are provided in capital account A01-10-02500.06.665 - 96 Cap - Cult & Herit - Shippen Manor Site Improvements

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

s/Naomi J. Stout, Deputy Clerk

ROLL CALL: Mr. Miller: yes Mrs. Stone: yes Mrs. Dickey: yes

RESOLUTION 526-96

On motion by Mrs. Stone, seconded by Mr. Miller, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held September 11, 1996.

RESOLUTION RE: APPROVAL OF SPECIFICATION WC96111 AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR LINENS FOR WARREN HAVEN

BE IT RESOLVED, that specification WC96111 for linens for Warren Haven is hereby approved

BE IT FURTHER RESOLVED, that the Director of Purchasing is hereby directed to advertise for bids for the above in the Star Gazette

Funds for this contract are provided in budget account A01-06-01501.10.139 - Warren Haven - Laundry/Linens

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

s/Naomi J. Stout, Deputy Clerk

ROLL CALL: Mr. Miller: yes Mrs. Stone: yes Mrs. Dickey: yes

On motion by Mr. Miller, seconded by Mrs. Stone, A RESOLUTION APPROVING THE PROFESSIONAL SERVICES AGREEMENT WITH C.L. ORBAKER AND ASSOCIATES, INC., OF FLEMINGTON, NEW JERSEY, FOR APPRAISAL SERVICES ON PROPERTY PROPOSED FOR ACQUISITION AS PART OF THE WARREN COUNTY- OPEN SPACE PROGRAM, IN THE AMOUNT OF \$1,750.

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Mrs. Stone asked that this resolution be tabled. She has read the report from Mr. Dech but she would like the Health Department to review the report before we move forward. She thinks we should ask John Hawk to review this and do a site review of the property. Mr. Dech said that it creates another delay but he is willing to wait. The board agreed to table this resolution.

On motion by Mrs. Stone; seconded by Mr. Miller, **RESOLUTION RE: DECLARING AN EMERGENCY AS PROVIDED FOR BY THE LOCAL PUBLIC CONTRACT LAW 40A:11-6 AND AUTHORIZATION TO ISSUE A PURCHASE ORDER TO ERVIN DEREMER SERVICE STATION INSTALLATION INC. TO REPAIR GASOLINE LEAK AT WARREN COUNTY ROAD DEPARTMENT GARAGE IN HOPE, NEW JERSEY IN THE TOTAL AMOUNT OF \$14,488.07.**

Mr. Miller asked if we went out to bid on this and Chris Pessolano said no, there was no time, it was an emergency that could have affected the health and welfare of the public. Steve Marvin pointed out that this happened in March. Chris said that George Ulmer reported it to DEP and went ahead and had it taken care of at that time.

Ken asked that Dave Wallace look this situation over. Mr. Miller felt that someone overreacted to this situation; he has a problem with the way this was handled; we could have just shut off the system.

It was decided to table this resolution and have George Ulmer come in to the September 18th meeting and explain what happened.

RESOLUTION 527-96

On motion by Mrs. Stone, seconded by Mr. Miller, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held September 11, 1996.

**RESOLUTION AWARDING CONTRACT #WC9678 FOR THE
RESURFACING AND REHABILITATION OF COUNTY ROUTE #643,
FRANKLIN TOWNSHIP, TO INTERCOUNTY PAVING, INC., OF
HACKETTSTOWN, N.J., IN THE AMOUNT OF \$379,704.32**

WHEREAS, the County advertised for bids to be received on Wednesday, September 4, 1996, for the Resurfacing and Rehabilitation of County Route #643, Franklin Township; and

WHEREAS, Intercounty Paving, Inc., of Hackettstown, New Jersey, submitted the lowest responsible and responsive bid in the amount of \$379,704.32; and

WHEREAS, the bid does not exceed the Engineer's estimate; and

WHEREAS, adequate funds are available in account 0010280012.200 and certified by the County Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren does hereby award the contract for the above project to Intercounty Paving, Inc., of Hackettstown, New Jersey, for the low bid of \$379,704.32.

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

s/Naomi J. Stout, Deputy Clerk

ROLL CALL: Mr. Miller: yes Mrs. Stone: yes Mrs. Dickey: yes

On motion by Mrs. Stone, seconded by Mr. Miller, **RESOLUTION RE: APPROVING THE AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES FOR A HISTORICAL STRUCTURAL REPORT OF THE OXFORD FURNACE FOR THE WARREN COUNTY CULTURAL**

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& HERITAGE COMMISSION TO CULTURAL RESOURCE CONSULTING GROUP OF HIGHLAND PARK, NEW JERSEY IN THE AMOUNT OF \$18,300.00.

It was mentioned that Cultural and Heritage went ahead and awarded this contract without getting prior freeholder approval. Also, Mr. Miller would like to know what is being done for \$18,000. The board agreed that this resolution should be tabled and have George Warne come in to the September 18th freeholder meeting and explain this situation.

RESOLUTION 528-96

On motion by Mrs. Stone, seconded by Mr. Miller, the following resolution was unanimously adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held September 11, 1996.

**RESOLUTION APPOINTING MEMBERS TO THE
WARREN COUNTY SOLID WASTE ADVISORY COUNCIL**

BE IT HEREBY RESOLVED that the Board of Chosen Freeholders hereby appoints the following member to the Warren County Solid Waste Advisory Council:

Virginia L. Brady
46 Hillcrest Drive
Great Meadows, NJ 07838
(Representing Liberty Township)

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

s/Naomi J. Stout, Deputy Clerk

ROLL CALL: Mr. Miller: yes Mrs. Stone: yes Mrs. Dickey: yes

RESOLUTION 529-96

On motion by Mrs. Stone, seconded by Mr. Miller, the following resolution was unanimously adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held September 11, 1996.

**RESOLUTION APPOINTING MEMBERS TO THE
WARREN COUNTY COMMUNITY COLLEGE BOARD OF TRUSTEES**

BE IT HEREBY RESOLVED that the Board of Chosen Freeholders of the County of Warren hereby appoints the following members to the Warren County Community College Board of Trustees with terms to begin November 1, 1996:

Frank Neuwirth Term to expire: 10/31/98

59 Mt. Vernon Road
Columbia, NJ 07832
(to fill the unexpired term of
Dr. Charles E. Kwartler)

Gladys M. Blemmer Term to expire: 10/31/00

12 Hemlock Lane
Belvidere, NJ 07823

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

s/Naomi J. Stout, Deputy Clerk

Mr. Miller said he still is not happy with the process that occurred here. The process needs to be looked at and he also mentioned he would like to appoint some additional members. The board asked that the resolution be amended to include the effective starting date of the terms and who the members are replacing. A letter has been received from Dr. DeSanctis regarding the process.

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Mrs. Dickey said that out of a nine member commission, there are only two new members. She questioned how there could be a problem due to the length of time these people have been serving.

Mr. Miller said that you can't jam twelve interviews into one evening. The Search Committee needs to regroup and spend more time on their interviews. The appointments should not be taken lightly.

Mrs. Stone said that if we have concerns we should have the chairman come in and speak to the board. She thinks there was just some miscommunication; she has no problem with the system. Susan said she has not spoken to anyone who was interested and does not know first-hand about this matter. Mrs. Stone said there was some problem with the meeting time that was given.

Mr. Miller wants to add members to the committee and replace the two who resigned. We should go ahead with these appointments but then reinforce the committee.

Mrs. Dickey said that the people are appointed for one year and the information that she got was that the search committee was to replace two people. (Dr. Kwartler and Bob Shandor) The press release made the statement that there would be a special time frame for these appointments.

Mr. Miller said that he was told that the chairman was not going to interview the incumbent because they didn't fill out a form; however, the chairman then changed his mind.

Mr. Miller said he wants the current process stopped; we should fill these two positions but then start over. He is disgusted with the process, not these candidates.

ROLL CALL: Mr. Miller: yes Mrs. Stone: yes Mrs. Dickey: yes

A request has been received from the Morris, Sussex, Warren HIV/AIDS Advisory Committee for freeholder board support for full disclosure of the FY 96 Ryan White Title I award.

Karen Kubert spoke to the board regarding this issue and handed out a brief summary. She reported that we have received no funding to date and we can't get any information from the City of Newark.

Donna Rue attends all the meetings and has reported that out of \$160,000 available, we only got \$38,000. Donna and Karen feel they need freeholder support to get information from Newark. A sample letter has been submitted to be sent to the City of Newark with a copy to Washington, D.C.

On motion by Mrs. Stone, seconded by Mr. Miller, the letter requesting information on this funding should be signed by Freeholder Dickey and forwarded to the City of Newark with a copy to Washington, D.C.

ROLL CALL: Mr. Miller: yes Mrs. Stone: yes Mrs. Dickey: yes

County Counsel had nothing for open session.

County Engineer David Hicks reported that regarding the request for sidewalks in Allamuchy from the general store to the school, curb to curb is our responsibility, it is the municipality's responsibility to extend the sidewalks. We will work with the municipality but they need to get their ordinances in place.

County Planner David Dech reported that he received a notice from Judy Schleicher of McRides Commuter Services notifying us that NJ Transit has agreed to continue service until December 20, 1996. She also pointed out that ridership seems to be increasing.

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CFO Pete Houck reported that copies of the corrective action has been filed with the county clerk and copies have been sent to the Local Government Services and also to the auditors.

Mr. Houck also said that regarding the increase in the petty cash fund for the library, DCA indicates that the board of freeholders should officially make this request. This will be on the next agenda.

Mr. Houck also has an item for executive session.

Under County Administrator, the board approved the one hiring request.

Regarding the proposed county-wide alert and warning system, Mrs. Stone said that it is imperative that we act on this. The plans are all approved. It was decided that Bob DeGraff should attend the October 9th freeholder meeting to explain this system.

The issue of the fire academy resolution was discussed. Mrs. Stone said that the resolution was done jointly with a consensus of the group who worked on this. We must move forward immediately.

RESOLUTION 530-96

On motion by Mrs. Stone, seconded by Mr. Miller, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held September 11, 1996.

RESOLUTION CREATING AN ADVISORY BOARD CONSISTING OF THREE (3) MEMBERS EACH FROM THE WARREN COUNTY FIRE CHIEF'S AND FIREMEN'S ASSOCIATION AND PLACING SUPERVISION OF ALL FIRE ACADEMY OPERATIONS WITHIN THE WARREN COUNTY DEPARTMENT OF PUBLIC SAFETY

WHEREAS, the Warren County Board of Chosen Freeholders, pursuant to N.J.S.A. 40:21-1, has exercised its authority to organize the structure of county government by creating the Warren County Department of Public Safety to include subdivisions of Emergency Management, Communications, and Fire Marshal; and

WHEREAS, the Warren County Board of Chosen Freeholders recognizes a need to abolish the Board of Directors of the Warren County Fire Academy, which Board of Directors was created by resolution dated August 10, 1994, wherein the Warren County Board of Chosen Freeholders agreed to jointly manage the Fire Academy with the Warren County Firemen's Association; and

WHEREAS, the Warren County Board of Chosen Freeholders now desires to transfer authority and supervision of all Fire Academy operations to the Warren County Department of Public Safety and create a six (6) member Advisory Board; and

WHEREAS, the job specifications of Fire Academy Coordinator will be developed to accommodate this transfer of responsibility for all Fire Academy operations,

NOW, THEREFORE, BE IT RESOLVED that this transition of authority for Fire Academy operations to the Warren County Department of Public Safety be implemented upon adoption by the Warren County Board of Chosen Freeholders.

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

s/Naomi J. Stout, Deputy Clerk

Mr. Miller had on question dealing with the number of members. Because there are six (6) members, what happens in case of a tie vote. Mr. Dinger did not think this was a major concern. The committee could appoint a chairman in the event of a tie vote and that person

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could be the tie-breaker. Mr. Miller said they could add a chairman or a seventh member for voting purposes. Also, the fire academy coordinator, when appointed, could serve in that position.

ROLL CALL: Mr. Miller: yes Mrs. Stone: yes Mrs. Dickey: no

Under freeholder comments, Mr. Miller asked if there is a meeting scheduled for next week and was told yes.

Mr. Miller has received a letter from the Andover/Morris School with an invitation to attend school on Friday, September 13th to participate in a ceremony in support of selecting Phillipsburg as the center for the railroad museum. He will attend.

Mrs. Stone has received information on a vacancy on SWAC. She would like a letter to be sent to all mayors who don't have representation on SWAC and ask them to fill the vacancy for their municipality. Phillipsburg is not on the list but they are not represented. They do not need a letter as Mrs. Stone has talked to the mayor about this.

Mrs. Stone also received a letter regarding a proclamation to be done jointly with DARC and the WC Medical Society Alliance in conjunction with the annual candlelight vigil to help victims of domestic abuse. This event will be held on the courthouse steps October 9th at 6:30 p.m.

Mrs. Dickey received a call from Elin Gursky, NJ Dept. of Health, offering to meet with the board on October 16th to address concerns by the board and some Warren County residents about respiratory illnesses and cancers which may be related to the incinerator. This is in response to a letter written by Mrs. Dickey. The board agreed to meet with Ms. Gursky on October 16th for this purpose.

There was a question and discussion regarding whether or not a resignation was received from Bob Shandor as a member to the WC Board of Trustees. The board has not yet taken any action on this.

On motion by Mrs. Stone, seconded by Mr. Miller, a letter should be written to Bob Shandor when it is determined from his letter that he has resigned as a member to the WCCC Board of Trustees.

ROLL CALL: Mr. Miller: yes Mrs. Stone: yes Mrs. Dickey: yes

Gladys Blemmer asked when she will be able to attend the Board of Trustees meetings and was informed that her appointment is not official until November 1st.

County counsel pointed out that future resolutions involving appointments should contain effective dates of terms as well as expiration dates.

Mrs. Dickey said that at the joint meeting held with PCFA, she had again mentioned seeking an independent analysis on the incinerator. She is asking the board to consider this again. She has questions regarding the operation of the incinerator financially and a better handling of the financial end of this and also questions regarding third party trash.

Mrs. Stone said she has no problem with Pete Houck looking at the agreement but she is not in favor of an outside firm coming in to look at this.

Mr. Miller said why don't we write to the state and ask if the facility is in compliance.

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Mrs. Dickey also brought up the fact that the cost of training our sheriff's officers and corrections officers is not being reimbursed by the state. She has written to Senator Schluter about this and there is legislation being introduced to address this. If it passes, the money can be received from the municipalities.

Under closing comments, Chris Pessolano, Purchasing Director, reminded everyone about the county auction to be held on September 21st beginning at 10:00 a.m. at the county garage. There will be a preview held at 9:00 a.m. and also one on Friday, September 20th from 9:00 - 3:00 p.m.

There were no press comments or questions.

RESOLUTION 531-96

On motion by Mrs. Stone, seconded by Mr. Miller, the following resolution was unanimously adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held September 11, 1996.

RESOLUTION TO PAY BILLS

BE AND IT IS HEREBY RESOLVED that the Master Voucher Certificate for Certification for Payment No. 96-23 dated September 11, 1996 in the amount of \$2,977,396.32 including bills and investments, is approved subject to the review of the vouchers by the Board of Chosen Freeholders.

96-23	2,033,753.40
Payroll 8/29/96	<u>943,642.92</u>
Total	2,977,396.32

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

s/Naomi J. Stout, Deputy Clerk

ROLL CALL: Mr. Miller: yes Mrs. Stone: yes Mrs. Dickey: yes

RESOLUTION 532-96

On motion by Mr. Miller, seconded by Mrs. Stone, the following resolution was unanimously adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held September 11, 1996.

RESOLUTION AUTHORIZING THE WARREN COUNTY BOARD OF CHOSEN FREEHOLDERS TO HOLD AN EXECUTIVE SESSION ON SEPTEMBER 11, 1996. THE GENERAL NATURE OF THE SUBJECT TO BE DISCUSSED INCLUDES VARIOUS PERSONNEL MATTERS; CONTRACTS; LITIGATION, LAND ACQUISITION; ATTORNEY/CLIENT PRIVILEGED COMMUNICATIONS AND IT IS ANTICIPATED THAT THE ABOVE STATED SUBJECT MATTER WILL BE MADE PUBLIC AT SUCH TIME AS THE PUBLIC INTEREST PERMITS DISCLOSURE AND/OR WHEN A REQUEST IS MADE CONSISTENT WITH THE OPEN PUBLIC MEETINGS ACT AND WITH STATUTORY AND COMMON LAW "RIGHT TO KNOW" PROVISIONS

WHEREAS, Section 7. of the Open Public Meetings Act, Chapter 231,P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist, **NOW, THEREFORE, BE IT RESOLVED** by the Board of Chosen Freeholders of the County of Warren in the State of New Jersey, pursuant to Section 8 of said act, as follows:

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter.

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2. The general nature of the subject matter to be discussed is:

1. Various personnel matters.
2. Contracts.
3. Litigation.
4. Land acquisition.
5. Attorney/client privileged communications.

3. It is anticipated that the above stated subject matter will be made public at such time as the public interest permits disclosure and/or when a request for disclosure is made consistent with the Open Public Meetings Act and with statutory and common law "right to know" provisions.

4. This resolution shall take effect immediately.

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

s/Naomi J. Stout, Deputy Clerk

ROLL CALL: Mr. Miller: yes Mrs. Stone: yes Mrs. Dickey: yes

Mrs. Dickey called for a five minute recess at 12:15 p.m.

The board went into executive session at 12:40 p.m.

The board returned to open session at 12:50 p.m. to continue the discussion with the Library Board members as the discussion was deemed by county counsel to not be appropriate for executive session.

Mr. Dinger pointed out to the board members that the county has stated, that when there is a resignation, the county is looking to the departments to absorb that position in order to cut expenses. The Jail, Warren Haven, etc. must keep a certain level of staff to operate. Other departments must try to reduce costs. Certain quality of life positions are required; Nutrition, Aging, PHNA, Warren Haven, Correctional Center, Sheriff's Office, Juvenile Detention.

Mr. Shotwell said that they understand that but they are not convinced that their budget is out of control. A year ago, they reorganized the library to make it more efficient. Does it now mean that there are no new positions, if someone leaves, can they not fill that position? They feel a commitment to provide a level of service which was envisioned when they submitted their budget.

Mrs. Dickey said she thinks it may depend on the level of the position of the person who resigns.

Mr. Dinger said that the issue would be looked at; we tend to take a look at the overall operation; need to look at the staffing patterns. Some departments are set in their ways. The problem is we are comfortable with a certain system. We don't ask "Is this the only way we can do this?"; have we automated, consolidated? What do these titles do; it is an in-house decision.

Mr. Shotwell said that he has been affiliated with AT&T for 25 years and has seen many changes in these 25 years. He has had an opportunity to go through re-evaluations of

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this type. He would now like to evaluate and reorganize their system. They want to do the right thing and cooperate with the county policies but they are also thinking that there are certain minimum times that they need to keep the building open for services to the public.

Mr. Dinger said that the problem may be with the financial wherewithal to do this. Mr. Shotwell pointed out that many of their branches have very active volunteer services. Mr. Dinger suggested a new program of a community based service which could revitalize the staff, not expand the staff.

Mr. Shotwell said that they will continue to try to run the library under these guidelines but they are concerned.

On motion by Mr. Miller, seconded by Mrs. Stone, the board returned to executive session at 1:08 p.m.

ROLL CALL: Mr. Miller: yes Mrs. Stone: yes Mrs. Dickey: yes

The board returned to open session at 2:13 p.m.

Mrs. Stone said that there is a security meeting scheduled for tomorrow. She has a letter from Sheriff Kelley regarding the fact that two inmates from the correctional center allegedly got beaten up in the holding pen in Belvidere. The Warden wants the Sheriff's Officers to sign a form and to agree to keep certain inmates in separate facilities. The Sheriff claims he doesn't have the manpower or the room to do this.

Mr. Dinger said we should get a full report on this and establish exactly what, where and when this happened.

Mr. Miller asked what would be done about the Warden's appointment. Mrs. Dickey said it is o.k. with her to make the appointment.

Mrs. Stone said she still doesn't like what he said at the meeting held in Warren Hospital but it is o.k. to put the appointment on the September 18th agenda.

County Counsel advised that nothing in executive session has lost its confidentiality.

On motion by Mr. Miller, seconded by Mrs. Stone, and there being no further official business to come before the board at this time, the meeting was adjourned at 2:24 p.m.

ROLL CALL: Mr. Miller: yes Mrs. Stone: yes Mrs. Dickey: yes

ATTESTED TO:

Naomi J. Stout, Deputy Clerk