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The Board of Chosen Freeholders of the County of Warren met in special session in its offices in the Administration Building, Belvidere, New Jersey on Wednesday, May 31, 2000 at 7:40 p.m.

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

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

Director Stone read the following statement: **“ADEQUATE NOTICE OF THIS MEETING WAS GIVEN IN ACCORDANCE WITH THE OPEN PUBLIC MEETINGS ACT BY FORWARDING A SCHEDULE OF SPECIAL 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”.**

The Municipal Elected and Appointed Officials Meeting began with a presentation by Duane Copley of the County Agricultural Development Board (WCADB). Mr. Copley discussed Board procedures for review of local Planning Incentive Grant (PIG) Applications. A copy of SADC Rule Proposals for all PIG applications put together by municipalities was made available. Also available was a copy of the Guidelines adopted by the WCADB to be used by the municipalities and their agricultural committees to get their applications through the WCADB. Mr. Copley stressed that the guidelines provide step by step description of everything the municipality needs to do. Although the dates for the third round of PIG applications have not been announced yet, they will probably be sometime in September or October. Mr. Copley stated the most important thing is coordination because the plans cost a lot of money and most of the applications up to this point request county funds.

He reminded everyone that the county budget is struck once a year. Another point to keep in mind is that the costs of appraisals etc. are up to the municipalities. Also, someone will have to review the appraisals once they are complete, thereby adding another expense. However, 50% of the costs incurred by successful applications filed will be reimbursed. Other additional costs are surveys and title searches, which are not currently covered by the county. The ten-year pay out scenario is the most widely used allowing more leverage. Mr. Copley announced that any questions that come up after the meeting can be directed to the CADB and he is always willing to meet with farm owners if needed.

At the end of this presentation, the floor was opened for questions.

Robert Zelle, Mayor of Greenwich Township stated his township is having trouble with appraisal values coming in very low. Unless the appraisals come in close to market value, the

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farmers will not participate in the program. Mr. Copley replied that the appraiser used is paramount. For example, in a recent appraisal done for a Department of Transportation right of way, one appraisal came in very low and the other came in extremely high, but the values could not be substantiated. He cautioned that the appraiser used must understand and be familiar with farmland appraisals, the demand for farmland and the fact that the appraisal is being done for the purpose of the municipality's PIG applications.

Mr. Zellely asked if a list of recommended appraisers could be obtained. Mr. Copley said yes.

Stephen Kehayes, Pohatcong Township Council member stated he had the same problem in Pohatcong and suggested Greenwich Township hire an outside consultant. Pohatcong had an independent contractor review the completed appraisals and it was a big help in identifying possible problems.

Mr. Copley suggested the towns sit down with the appraisers and let them know it is the municipalities' intent that the values come in as close to market value as possible and that the comparable sales used to support their values must be valid.

Walter Menegus of White Township stated that his township has over \$2,000,000 in surplus in their budget. They just put together an open space committee, which will be voted on Friday, June 2, 2000. He asked how does their budget surplus effect any state and county money received.

Mr. Copley stated that when the town is asked how they will fund the project, they can state it will be funded by appropriation; the town has surplus money in the budget.

Freeholder Dickey asked why Warren County couldn't just use the same appraisers that Hunterdon County is using. Mr. Copley stated that there will be problems with availability, the appraisers can only take on so much work.

Freeholder Dickey asked if more than the appraised value could be paid for the properties. Mr. Copley stated that yes, the State will honor any deal the municipality makes with the landowners as long as the values can be substantiated. Additionally, once the higher price is paid for the property, that sale price then becomes a comparable sale upon which other appraisals can be based.

Lois Markle, Harmony Township Committee member asked what can be done if the appraisal comes in too low. Mr. Copley suggested hiring a review appraiser who will look at the values and work with the original appraiser to get the numbers adjusted to a higher value. He also suggested talking to the appraiser and working with him throughout the appraisal process.

Stephen Kehayes stated another way to try to get higher values is by conservation easements. Freeholder Stone asked how many municipalities have Open Space Committees. Five of the municipalities present replied they did have a committee.

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Robert Shandor from Lopatcong Township asked if it is possible to do a 20 or 30-year pay out as opposed to a 10-year payout on the PIG in the near future. Mr. Copley stated it is up to the Freeholder Board if they want the County to increase the length of the pay out. Freeholder DeBosh stated that at a recent Freeholder meeting with Burlington County, the question came up as to whether or not the IRS would approve of this. Apparently, a local ruling said it was permissible, but a higher ruling stated it was questionable. Mr. Kehayes suggested making a recommendation to the property owners that they obtain an attorney and accountant to look after their own interest. Mr. Copley agreed that this could be very helpful in this situation.

Freeholder Stone expressed her appreciation to Mr. Copley for his presentation.

The next item on the agenda was a discussion of truck traffic led by Mayor Timothy McDonough of Hope Township. He stated that the issue is getting worse rather than better. The truck traffic is having a detrimental affect towards the quality of life and the historic buildings in town. These concerns were brought to the New Jersey DOT who replied that the situation is a county issue rather than a state issue. Mayor McDonough spoke to them again last week and the opinion was reiterated that this is a county issue. He stated the County has the means to rectify the truck traffic problem. He stated the traffic has increased tenfold in the past few weeks due to all the sludge truck and quarry truck traffic. If the increased traffic continues, soon the historic buildings will be past the point of repair. Mayor McDonough also stated that there have been many close calls with pedestrians and the trucks. He made a plea to the Freeholders to do something about it.

Freeholder Stone stated that the police are helping with the avoidance of weigh stations by setting up portable weigh stations but that is all they can do.

Mayor McDonough requested an ordinance from the County such as weight limits and limiting truck traffic to local deliveries only.

Dave Hicks stated that weight limits would then have to be put on all the side roads as well which would then include a number of municipalities.

Freeholder Dickey stated that Hope Township has her full support.

Freeholder DeBosh asked if there was another way to get from Harmony Sand and Gravel to Route 80. Route 46 could be used.

Freeholder DeBosh said Hope Township has his support.

Freeholder Dickey suggested asking trucks to use the same routes as the sludge trucks. Mayor McDonough stated that all the companies he contacted did not want to be bothered by changing their routes.

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Freeholder Dickey suggested petitioning the state to include portions of 500 Routes with 600 Routes which are not permitted to have truck traffic. Dave Hicks stated he was unsure of what the consequences to that movement would be.

Freeholder DeBosh suggested Dave Hicks and Steve Marvin put together an ordinance for the use of side roads by the trucks. Mayor McDonough will work together with the municipalities involved as needed.

Jane Santini from Blirstown Township Committee voiced her concern that the rerouting would have to encompass the entire county, because rerouting around Hope will just move the problem to another town.

Lois Markle stated that the neighboring freeholder boards should be contacted to inform them of the rerouting. She added that some drivers are not aware of the rerouting in Warren County.

Freeholder Dickey asked if there is signage indicating the truck route. Mayor McDonough replied no. Freeholder Dickey suggested installing signs displaying an authorized voluntary truck route. Mayor McDonough stated that "voluntary" does not work.

Billy Godfrey, Deputy Mayor of Mansfield Township stated that from the viewpoint of someone who owns a dump truck business himself, you can't banish all trucks from county roads. They are taxpayers too and county truck traffic cannot be limited to local truck traffic. Mr. Hicks stated that if there is a weight-limit zone, all the trucks would have to do is go around it.

Mayor McDonough stated that the local trucking policy would have to be enforced by the police. Mr. Hicks stated the police don't have the manpower to do that. The only leverage they have is the weight limit factor.

Walter Menegus stated the problem is also evident in White Township. He noted that skid marks are noticeable on the roads, evidence that trucks speed. Also he has witnessed several accidents narrowly avoided. He stated that it is a countywide problem. However, he stated that the trucks pay a licensing fee and if they have to use the routes they will do so.

Mayor McDonough stated that it is not his intent to stop the truck traffic altogether, merely to allow local deliveries only. He stated that Nature's Harvest will call Hope Town Hall to let them know they are traveling through town. He also suggested reducing the speed limit to 25 m.p.h. He stated that the slower speed in itself would deter truck traffic.

Ron Farber, Knowlton Township Committee member stated that one of the worst interchanges is in Knowlton Township. If truck traffic is rerouted from Hope Township, Knowlton Township school would be affected.

Freeholder Dickey stated that if and when something is done we must look at how it will effect the entire county. It should be addressed as a county issue.

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In closing, Mayor McDonough stated that the county made a wise choice in appointing Art Charlton head of Economic Development and Tourism. He encouraged the Freeholder Board to support Mr. Charlton in his efforts.

Art Charlton stated that the 2000 edition of the Warren County Directory was complete and copies were available for the municipalities. Any extra copies needed are available from Mr. Charlton.

Next on the agenda was Knowlton Township Committee Members Ron Farber and Rene Mathez speaking about the dumping of sludge on farm fields. Mr. Farber suggested adopting an ordinance concerning the use of sludge derived products on farm fields. Although there was talk of a countywide ordinance in the past, nothing was ever done. He stated there should be a zero tolerance policy of sludge derived products. He also stated the pH samples should be taken; they are not at this time. He suggested adopting strict, county enforced guidelines.

Freeholder DeBosh asked if there was an ordinance in effect. There is no ordinance currently. Duane Copley stated that every farmer that applies sludge to their farm must have a permit from the Department of Environmental Protection. Attached to the permit are two pages of conditions that must be met. The product must be applied in accordance with the Warren County Soil Conservation District. As of this date, he has never received any conservation plans that were approved. If someone knows a farm is applying sludge without a permit, they should obtain the farmer's name, block and lot and he will follow up. Sludge cannot be applied to farm preserved property or state-owned land. Mr. Copley stated that he has not received a permit since 1993 and all those permits filed have expired.

Freeholder DeBosh stated that there is not one farm in Warren County that should be spreading sludge. Mr. Copley stated that any fines incurred by the illegal spreading of sludge on farmland would be a civil matter.

Freeholder Dickey stated that the Solid Waste Management Plan incorporates the recommendations of the sludge task force.

Lois Markle stated that Hydropress in Harmony Township is currently under an administrative restraint order.

Freeholder Dickey stated that the entire state of Pennsylvania prohibits the dumping of sludge on farm fields and perhaps the same should be done in New Jersey. Mr. Menegus stated that safely spreading chemical fertilizers, herbicides and pesticides by farmers should be permissible; if not, the farmers will end up selling their land to developers.

Robert Zelle, Deputy Mayor of Greenwich Township said he was very successful with working with the farmers of Greenwich Township rather than reporting them when non-compliance occurs. He stated that anything that can be done to help the farmers who do not wish to sell to developers should be done and communication with the farmers is the key to ensuring the correct application of the sludge.

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Mr. Farber stated that if the State has guidelines for the use of the product, they should be followed.

Dale Crouse stated that the towns should talk to the farmers and let them know that pH samples are needed. He stated the towns need to talk to the farmers and as a last resort turn them in for noncompliance.

Lois Markle stated that there was a school in Pennsylvania where the students got ill due to the fact that sludge was improperly applied to a nearby field.

As the floor was opened to additional business, Lois Markle expressed her appreciation for all the help with the storm cleanup in Harmony. She stated she attended the air quality seminar that the Warren County Environmental Commission sponsored and it was a very valuable experience.

Next she spoke for an elderly Harmony resident, Elwood Miller, who was unable to attend the meeting. Buckhorn Creek is blocked by soil where it passes under a railroad bridge and the creek is beginning to back up.

Mr. Charlton reported on the status of the Economic Development projects. A meeting will be held on June 1, 2000 with town committees and residents who deal with economic development in the county. Additionally, a business retention team is in the process of being put together. Mr. Charlton also asked for assistance and/or ideas for the county website.

Alan Fisher, Washington Borough Manager, asked Dave Hicks when the Kinnaman Avenue Bridge project will be completed. Mr. Hicks stated there is no date yet.

Freeholder DeBosh asked Mr. Hicks to contact the contractors and get a definite completion date.

A letter was received from Dinah Rush, Founder Director of Adventures in Environmental Science. The letter stated that Harmony Dale Farms has \$30,000 in DEP fines earmarked for environmental projects in Harmony Township which must meet the Supplemental Environmental Project requirements. She suggested 4-H Adventures in Environmental Science which is a program focusing on solid waste issues analysis tests and stream remediation projects in Harmony Township. The funding would allow more in depth studies, including water sampling, monitoring of water and sediments near the Harmony Dale Facility and provide for the equipment and personnel needed to conduct the studies. Ms. Rush asked for Freeholder endorsement of the concept outlined.

At this point, the floor was opened for questions.

Dale Crouse stated that the \$30,000 can be used in Harmony Township rather than going back to the state coffers. He agreed that the money should go towards funding the 4-H environmental and science group but it can also be earmarked for work in Warren County. He recommended the money also be used for the Harmony Township Fire Company.

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Mr. Crouse asked for a letter from the Freeholder Board recommending the money be used for the 4-H project and the Harmony Fire Company.

Freeholder DeBosh inquired if there was a deadline for the decision of what to spend the money on. The deadline is June 15. If a decision is not made by then, the money will go to the state. Ms. Markle stated the original wish for the use of the money was to provide a science lab for the elementary school. However, it was discovered by the municipal attorney and engineer that the money had to be used for something related to the initial problem. Ms. Rush stated that SEP has very strict guidelines about what can and cannot be done with the funds.

Mr. Crouse stated the letter of recommendation from the Freeholders should be sent to Joe Mikulik, Northern Enforcement, Parsippany, New Jersey.

Carol Ward, former Warren County 4-H Agent, now resident and 4-H Agent in Somerset County, suggested that the equipment purchased by 4-H with the money be shared with the school.

Freeholder DeBosh said they would give Harmony Township until June 14th to let them know what they want to do with the money.

Mr. Crouse stated that he has to approve the use of the money and he would go and talk to Mayor Henry Skirbst about the funds.

On a motion by Mr. DeBosh seconded by Mrs. Stone, a letter will be written supporting the use of the money for Harmony Township.

ROLL CALL: Mrs. Dickey: abstain Mrs. Stone: yes Mr. DeBosh: yes

RESOLUTION 442-00

On a motion by Mr. DeBosh, seconded by Mrs. Dickey, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held May 31, 2000.

RESOLUTION TO PAY BILLS.

Be and it is hereby resolved that master voucher certificate
For Certification/Ratification for Payment No. 2000-18 dated MAY 31, 2000
 In the amount of **\$ 165,377.08** including bills and
 Investments, is approved subject to the review of the vouchers
 By the Board of Chosen Freeholders.

2000-18**\$165,377.08**

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.

Naomi J. Stout Deputy Clerk

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

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The next item of discussion was a resolution approving a lease for the County Prosecutor's Office Juvenile/Domestic Unit.

Freeholder Dickey asked if real estate taxes are included in the rental cost and if the insurance increases, is the county responsible. Mr. Marvin replied yes.

Freeholder Dickey asked if any improvements made by the County stay with the building. Mr. Marvin replied yes.

Freeholder Dickey asked if flood insurance is needed. Mr. Hicks replied no.

Freeholder Dickey stated that according to the business lease, the county would have to take responsibility for the environmental assessment, outlined in Paragraph 30. Which states the tenants shall have until June 30, 2000 to complete an environmental assessment, testing or sampling in order to assure that the premises does not contain any environmental contaminants that would render same unsuitable or unacceptable for the tenants intended use.

Mr. Marvin stated that extensive discussions on this matter have been held.

Freeholder Dickey opposes the \$76,000 worth of improvements and prefers using some property the county already owns, such as the Cummins Building or CourtHouse, by moving some of the offices around.

Mr. Marvin noted that including taxes, the rental cost for 9000 square feet is \$9.80/foot per year. The county currently pays \$16.56/foot for the Health Department and approximately \$14/foot for the Prosecutor's Belvidere office.

Mr. DeBosh stated that although he was not pleased with the choice, he saw no other alternative to solve the storage and office problem.

RESOLUTION 443-00

On a motion by Mr. DeBosh, seconded by Mrs. Stone, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held May 31, 2000.

RESOLUTION APPROVING THE FIVE YEAR LEASE AGREEMENT FOR THE WARREN COUNTY PROSECUTOR'S OFFICE JUVENILE/DOMESTIC UNIT AND EVIDENCE STORAGE FOR THE PROPERTY KNOWN AS 4 PROSPECT STREET, BELVIDERE, NEW JERSEY FROM EZIO AND JEANNE ROSSI.

WHEREAS, THE Board of Chosen Freeholders is desirous of obtaining leased office and storage space for the Prosecutor's Office Juvenile/Domestic Unit & Evidence Storage and adequate property is available for lease at 4 Prospect St., Belvidere, New Jersey from owners Ezio and Jeanne Rossi; and

WHEREAS, a Lease Agreement has been negotiated by the County Administrator to include a term of five years, first year cost of \$7,400.00 per month, said Lease Agreement incorporated herein by reference;

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NOW, THEREFORE, BE IT RESOLVED that the referenced Lease Agreement be approved and that the Freeholder Director be authorized to execute same on behalf of the 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.

Naomi J. Stout Deputy Clerk

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

On a motion by Mr. DeBosh, seconded by Mrs. Stone, and there being no further official business to come before the board at this time, the meeting was adjourned at 10:05 p.m.

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

ATTESTED TO:

NAOMI J. STOUT, DEPUTY CLERK