

The Board of Chosen Freeholders of the County of Warren met in regular session in its offices in the Administration Building, Belvidere, New Jersey on Wednesday, August 9, 2000 at 9:35 a.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 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 Mr. DeBosh, seconded by Mrs. Dickey, the executive session minutes of the regular meeting of the Board of Chosen Freeholders held July 12, 2000 were approved as presented.

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

On motion by Mr. DeBosh, seconded by Mrs. Dickey, the minutes of the regular meeting of the Board of Chosen Freeholders held July 26, 2000 were approved as presented.

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

The executive session minutes of July 26, 2000 will be held until after discussion in executive session today.

Under public comments, Planning Director David Dech introduced Mr. Henry Davis, the county's new Park Ranger, to the BCF. Mr. Davis began his employment on August 3rd and his duties will include patrolling our properties. He is a native of Bridgeton, NJ, a Marine Corps veteran, has a B.S. in Biology and four years experience as a park ranger in Pueblo, Colorado and as a Sheriff's Officer in Colorado also. The board welcomed him to Warren County.

**ORDINANCE 583-00**

On motion by Mr. DeBosh, seconded by Mrs. Dickey, the following ordinance was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held August 9, 2000.

**BOND ORDINANCE  
NUMBER 2000-C**

**BOND ORDINANCE PROVIDING FOR ACQUISITION OF LAND TO BE ACQUIRED FOR FARMLAND PRESERVATION PURPOSES, IN AND BY THE COUNTY OF WARREN, STATE OF NEW JERSEY, APPROPRIATING \$5,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,761,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF AND, UPON FINAL ADOPTION, INCREASING THE PRESENT DOLLAR AMOUNT OF GROSS COUNTY INDEBTEDNESS TO \$36,429,799.**

BE IT ORDAINED AND ENACTED BY THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF WARREN, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond

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ordinance are hereby authorized to be undertaken by the County of Warren, State of New Jersey (the "County") as general improvements. For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$5,000,000 including the sum of \$239,000 as the amount of down payment for said improvements or purposes required by the Local Bond Law, N.J.S.A. 40A: 2-1 et seq., as amended and supplemented (the "Local Bond Law"), and being available by virtue of a provision or provisions in a previously adopted budget or budgets of the County for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in section 3 hereof, and to meet the part of the \$5,000,000 appropriation not provided for by application hereunder of the down payment negotiable bonds of the County are hereby authorized to be issued in the aggregate principle amount of \$4,761,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the County in a principle amount not exceeding \$4,761,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. The improvements hereby authorized and purposes for the financing of which said debt obligations are to be issued are the acquisition of, for farmland preservation purposes, all or a portion of all or certain of the following properties or easements therein, which properties or easements therein may be available for purchase including, but not limited to, as required, surveys, appraisals, title insurance and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto. Such properties are identified by the Block and Lot numbers on the official tax map of the respective municipalities:

<u>MUNICIPALITY</u>	<u>BLOCK</u>	<u>LOT</u>
<b>ALLAMUCHY TOWNSHIP</b>	105	2
	106	4,5,6, and 7
	201	22 and 22.01
	501	9
<b>BELVIDERE TOWN</b>	10	1
	31	1
<b>BLAIRSTOWN TOWNSHIP</b>	506	4 and 5
	803	11B, 11D and 11E
	902	3
	1402	21.01
	1601	13
	1803	3.01,3.02,3.03,3.04 and 4
	2102	2
<b>FRANKLIN TOWNSHIP</b>	9	12
	11	40
	15	5
	48	4 and 12
	51	4
	53	5
	57	10 and 1Q-34
	61	3,4 and 13
<b>FRELINGHUYSEN TOWNSHIP</b>	101	11
	104	6
	301	13
	801	17, 17a and 17b
	1101	5, 6, 11 and 11.02
	1201	13

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GREENWICH TOWNSHIP	20		7,8,9,24 and 26
	23		10
	26		27
HARDWICK TOWNSHIP	303		1B
	304		12.01 and 12.02
	1003		7.01
HARMONY TOWNSHIP	9		53 and 54
	11		28
	12		13
	13		5
	17		13
	18		1 and 3
	34		11
	37		5.01
	38		7
	46		2
	47		24
HOPE TOWNSHIP	700		1301
	800		100 and 1200
	1200		2303 and 2304
	4000		300
	5000		100
INDEPENDENCE TOWNSHIP	13		18Q
	17		74
	28		15
KNOWLTON TOWNSHIP	5		10
	37		3
	47		3
	63		101
LOPATCONG TOWNSHIP	2		21
MANSFIELD TOWNSHIP	601	1	
	601.1		10.01
	602		1
	1201		17.01
	1403		3 and 8
OXFORD TOWNSHIP	26		87
POHATCONG TOWNSHIP	98		26
	99		2
	109		60
	110		7.04
	118		1
	118		1
WASHINGTON TOWNSHIP	40		41
	48		70
	71		4 and 4.04
	82		17
	82		17
WHITE TOWNSHIP	11		6
	18		9, 14 and 15
	46		8 and 34
	47		9
	50		1
	62		7

a. The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$4,761,000.

b. The aggregate estimated cost of said improvements and purposes is \$5,000,000 the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor, being the down payment in the amount of \$239,000. To the extent that the cost of said improvements exceeds \$5,000,000 such amounts may be appropriated by the County which amounts may include grants that may be received from the State of New Jersey.

SECTION 4. In the event the United States of America and /or the State of New Jersey make a loan, contribution or grant-in-aid to the County, for the improvements authorized hereby and the same shall be received by the County prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America and/or the State of New Jersey. In the event, however, that any amount so loaned, contributed or granted by the United States of America and/or the State of New Jersey, shall be received by the County after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

The County anticipates receiving grants from the State of New Jersey with respect to the acquisition of real property or easements therein for farmland preservation purposes (the "Anticipated Grants"). In the event the County does receive such grants and there remain properties or easements therein set forth in Section 3 hereof yet to be acquired, then this Section 4 shall not apply to the Anticipated Grants.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the County, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the County shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principle amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the County is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herein, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk of the County and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

a. The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the County may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

b. The average period of usefulness of said purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of said bonds authorized by this bond ordinance, is forty (40) years.

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c. The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Board of Chosen Freeholders of the County and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the County as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$4,761,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law. To the extent that debt service on any bonds or notes authorized herein will be paid from the County's Open Space Trust Fund created pursuant to N.J.S.A. 40:12-15 et seq., the bonds or notes issued or authorized but not issued will be a deduction from gross debt pursuant to the provision of N.J.S.A.40A: 2-44(h).

d. An aggregate amount not exceeding \$200,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the improvements or purposes hereinbefore described.

SECTION 8. The full faith and credit of the County are hereby pledged to the punctual payment of the principal of and the interest on the debt obligations authorized by this bond ordinance. The debt obligations shall be direct, unlimited obligations of the County, and the County shall be obligated to levy ad valorem taxes upon all the taxable property within the County for the payment of the principal of such debt obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The County reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein have been or are reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the County, or any member of the same "Controlled Group" as the County, within the meaning of Treasury Regulation Section 1.150-1(e), pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section 9 is intended to be and hereby is a declaration of the County's official intent to reimburse any expenditures towards the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation 1.150-2, and no further action (or inaction) will be an abusive arbitrage device in accordance with Treasury Regulation Section 1.148-10 to avoid the arbitrage yield restrictions or arbitrage rebate requirements under section 148 of the Internal Revenue Code of 1986, as amended and supplemented (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the County for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will not be used directly or indirectly (i) to "refund" an issue of governmental obligations within the meaning of Treasury Regulation Section 1.150-1(d), (ii) to create within one year following the reimbursement of any expenditures of any bond proceeds, "replacement proceeds", within the meaning of Treasury Regulation Section 1.148-1 of the bonds or any other bond issue, or (iii) to reimburse the County for any expenditure or payment that was originally paid with the proceeds of any obligation of the County (other than borrowing by the County from one of its own funds or the funds of a member of the same "Controlled Group" within the meaning of Treasury Regulation Section 1.150-1(e)). The bonds or notes authorized herein to reimburse the County for any expenditures toward the costs of the improvements described in Section 3 hereof will be issued in an amount not to exceed \$4,761,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code and Treasury Regulation Section 1.150-1. This provision will take effect immediately, but will be of no effect with regard to expenditures for costs paid outside the permitted reimbursement period set forth in Treasury Regulation Section 1.150-2(d)(2).

SECTION 10. The County covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on all bonds and notes issued under this

ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**ADOPTED ON FIRST READING  
DATED: August 9, 2000**

**RECORDED VOTE:**

Ms. Stone, Freeholder Director, Yes

**Naomi J. Stout  
Deputy Clerk of the Board of Chosen Freeholders**

Mr. DeBosh, Deputy Director, Yes

Ms. Dickey, Freeholder, Yes

Before roll call, Mrs. Dickey asked if we have an updated list of acquisitions? Do we know what farms are ready to sign on when this bond is approved and will we have farms lined up to use the bond proceeds when they are received?

Mr. DeBosh suggested that she ask the appropriate people. Mrs. Dickey said that we currently have \$2-1/2 million on hand waiting for state money. Once the farm program knew that the county was going to bond \$5 million, they could have negotiated with farms and used the money we have and replaced it with bond proceeds. She said that her concern is that we are borrowing money to put in the bank and we are not ready to spend the money and we should have our purchases lined up and ready to go by now. Mrs. Stone said that we are late in doing this. She has always stressed working together. It is a critical issue in Warren County that we have the financial means to purchase farmland. Mrs. Stone said she is the liaison to the Ag Development Board and she knows what is going on.

Mr. DeBosh said that it is crucial to do this. There were faults in the past, but it is unfair to the farmers to ask them to bid down. This ends the bid down process. The list can be amended. Mrs. Dickey said she agrees with everything he said but why aren't these acquisitions in process now.

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 Mr. DeBosh: yes Mrs. Stone: yes

**RESOLUTION 584-00**

On 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 August 9, 2000.

**RESOLUTION TO PAY BILLS.**

**Be and it is hereby resolved** that Master Voucher certificate **For Certification/Ratification for Payment No. 2000-26 dated AUGUST 9, 2000**

In the amount of **\$ 4,601,490.76** including bills and Investments, is approved subject to the review of the vouchers By the Board of Chosen Freeholders.

2000-26	\$3,548,151.66
PAYROLL 7/27	1,015,526.60
UNIFORM ALLOW	<u>37,812.50</u>
TOTAL	\$4,601,490.76

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 Mr. DeBosh: yes Mrs. Stone: yes

**RESOLUTION 585-00**

On 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 August 9, 2000.

**RESOLUTION APPROVING THE APPLICATION FOR 2001 STATE/COMMUNITY PARTNERSHIP FUNDS TOTALING \$179,212 AND \$91,013 FAMILY COURT FUNDS AS AVAILABLE THROUGH THE NJ JUVENILE JUSTICE COMMISSION FOR THE PERIOD JANUARY 1, 2001 THROUGH DECEMBER 2001; FUNDS TO BE USED FOR PROGRAM AND ADMINISTRATIVE SERVICES.**

**WHEREAS**, the New Jersey Juvenile Justice Commission has made available to the Warren County Board of Chosen Freeholders \$129,212 Program Services Funds and \$0,000 Program Management Funds through the State/Community Partnership Grant and \$91,013 in Family Court Funds for the period January 1, 2001 through December 31, 2001; and

**WHEREAS**, the Warren County Department of Human Services has prepared a grant application for use of these anticipated funds for program and administrative services.

**NOW, THEREFORE, BE IT RESOLVED** the Director of the Warren County Board of Chosen Freeholders is authorized to sign the application for 2001 State/Community Partnership funding in the amount of \$179,212 and \$91,013 in Family Court funds to be available January 1, 2001 through December 31, 2001 through the NJ Juvenile Justice Commission to be used for program and administrative 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.

Naomi J. Stout Deputy Clerk

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

**RESOLUTION 586-00**

On 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 August 9, 2000.

**RESOLUTION AUTHORIZING DIRECTOR OF BOARD TO EXECUTE THE FY'01 SECTION 5311 GRANT AGREEMENT WITH NJ TRANSIT FOR \$125,777 FEDERAL FUNDS; \$62,888.50 STATE FUNDS; AND \$62,888.50 ANTICIPATED COUNTY MATCHING FUNDS; SUBJECT TO THE AVAILABILITY OF FUNDS.**

**WHEREAS**, on May 10, 2000, the Warren County Board of Chosen Freeholders approved the FY'01 Section 5311 grant application with NJ transit Corporation for \$188,865.50 Federal and State funds and \$62,888.50 anticipated county matching funds; and

**WHEREAS**, NJ Transit has subsequently awarded Warren County FY'01 section 5311 funds as outlined in the application.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Chosen Freeholders that the Director of the Board is authorized to execute the FY'01 Section 5311 Grant Agreement with NJ Transit for a total of \$188,665.50 Federal and State funds; and \$62,888.50 county matching funds; funding subject to availability.

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 Mr. DeBosh: yes Mrs. Stone: yes

**RESOLUTION 587-00**

On motion by Mr. DeBosh, seconded by Mrs. Dickey, the following resolution was adopted

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by the Board of Chosen Freeholders of the County of Warren at a meeting held August 9, 2000.

**RESOLUTION AUTHORIZING THE DIRECTOR OF THE BOARD TO EXECUTE AGREEMENTS FOR OLDER AMERICANS ACT TITLE III FUNDED PROJECTS UNDER THE 2000 WARREN COUNTY AREA PLAN FOR PROGRAMS ON AGING WITH: EASTER SEALS ON NJ FOR \$3,000, HACKETTSTOWN HOSPITAL MEALS ON WHEELS FOR 54.04 CENTS PER MEAL SERVED DURING THE WEEK AND \$13,000 TO PROVIDE WEEKEND HOME DELIVERED MEALS.**

**WHEREAS**, the County of Warren has entered into an Agreement the New Jersey Department of Health and Senior Services to carry out a program to develop a comprehensive and coordinated system of services for the elderly under the Older Americans Act, as amended.

**NOW, THEREFORE, BE IT RESOLVED** that the Director of the Board of Chosen Freeholders of the County of Warren is authorized to execute the following agreement in accordance with the 2000 Area Plan for Programs on Aging:

Agreement 00-21032 with Easter Seals of NJ to provide a minimum of 10 caregiver support groups and to provide 53 hours of outreach education to caregivers. Total of 3,000 for 2000.

Agreement #00-21917 with Hackettstown Community Hospital Meal on Wheels to provide a minimum of 20,000 weekday home delivered meals to a minimum of 120 different people aged 60 and over in the Hackettstown area. Total of 54.04 cents per meal served in 2000.

Agreement #00-21918 with Hackettstown Community Hospital Weekend Meals on Wheels to provide a minimum of 2,500 weekend home delivered meals to a minimum of 50 different people aged 60 and over in the Hackettstown area. Total of \$13,000 for 2000.

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 Mr. DeBosh: yes Mrs. Stone: yes

**RESOLUTION 588-00**

On 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 August 9, 2000.

**RESOLUTION REINSTATING THE PAYMENT OF A STIPEND TO THE COMMISSIONERS OF THE WARREN COUNTY (PEQUEST RIVER) MUNICIPAL UTILITIES AUTHORITY.**

**WHEREAS**, the Warren County Board of Chosen Freeholders has previously created the Warren County (Pequest River) Municipal Utilities Authority (the Authority) pursuant to the provisions of N.J.S.A. 40:14B-1 et seq., and the acts amendatory and supplemental thereto; and

**WHEREAS**, the Commissioners appointed to serve on the Authority do so voluntarily; and

**WHEREAS**, the Municipal and County Utilities Authorities Law, at N.J.S.A. 40:14B-17, contains a provision for the payment of a stipend to the members of an authority for their services, subject to an annual or other limitation, pursuant to a resolution by the governmental entity which created the authority; and

**WHEREAS**, the Warren County Board of Chosen Freeholders adopted a certain Resolution of November 8, 1995, whereby the stipend that had been previously authorized for Authority Commissioners was rescinded for Commissioners to be appointed to the Authority subsequent to that date; and

**WHEREAS**, the Commissioners perform vital services in the furtherance of the general health, safety and welfare of the residents within the Authority's service area, which services require, at a minimum, the following:

1. A knowledge of finance and economics in order to comply with applicable State, Federal and local budget and other financial regulations.
2. An understanding of the bond market, and other factors that impact upon the funding of public improvement projects.

3. The ability to evaluate property and equipment for the purposes of building and facilities acquisition and disposition, as well as the maintenance and management of the same.
4. A working knowledge of New Jersey Department of Environmental Protection and Federal rules and regulations related to the preservation of potable water supplies and waste treatment, and other matters that directly affect the environment.
5. A familiarity with regional planning and development trends so as to coordinate the availability of sewer treatment capacity among the various municipalities within the Authority's service area.
6. General management and mediation skills so as to resolve the often-conflicting needs for treatment capacity among the various constituent municipalities.
7. A working knowledge of the Local Public Contracts Law, and the ability to negotiate purchases and public works contracts in the best interests of the Authority's customers, bondholders and ratepayers.
8. In the case of legal disputes, an ability to determine when the Authority's needs may best be served through litigation or a mediated settlement of the matter at issue.
9. An understanding of insurance, workers' compensation, unemployment, and State and Federal laws related to the hiring and firing of employees, as well as the ability to annually establish a fair and just salary structure that will not only retain the talented staff members already in the Authority's employ, but will also attract other qualified talent to fulfill the Authority's on going needs; and

**WHEREAS**, the receipt of a reasonable stipend will serve as an acknowledgement of the Commissioner's commitment to conscientiously fulfill their public service duties, and shall be additional incentive for them to continue to voluntarily attend at seminars and other continuing education programs related to their tasks;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Chosen Freeholders of the County of Warren does hereby rescind that resolution previously adopted by it at a meeting held November 8, 1995, and does hereby reinstate in full the authorization for a stipend to be paid to the Commissioner Members of the Warren County (Pequest River) Municipal Utilities Authority, limited to the annual sum of \$4,000 for the Chairman, \$3,500 for the Vice-Chairman, the Secretary and the Treasurer (provided that such positions are filled by appointed Commissioners); and \$2,000 for all other Commissioners; and

**BE IT FURTHER RESOLVED**, that this resolution shall take effect immediately upon its adoption by the Board of Chosen Freeholders of the County of Warren.

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, and let the record reflect that speaking as a volunteer on several municipal and non-profit boards, I find it discouraging that PRMUA members would demand payment to serve their community - whether or not the legislature sanctions it. She asked County Counsel Wallace whether those board members who refused to step down and be reappointed and collected money after the board resolution in 1995 should have their reinstated stipend held to pay back funds they were not supposed to receive because they were in violation of the board resolution. Mr. Wallace will review this.

Mr. DeBosh: yes Mrs. Stone: yes

**RESOLUTION 589-00**

On 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 August 9, 2000.

**RESOLUTION AUTHORIZING THE FREEHOLDER DIRECTOR TO EXECUTE A**

**COOPERATIVE AGREEMENT BETWEEN THE WARREN COUNTY BOARD OF CHOSEN FREEHOLDERS AND THE STATE AGRICULTURE DEVELOPMENT COMMITTEE.**

**WHEREAS**, Frank H. Gibbs and Joan H. Gibbs (hereinafter "Grantors") applied to the SADC for the sale of the Development Easement on property located in the Township of Allamuchy, County of Warren, State of New Jersey, and designated on the tax map as Block 401, part of Lot 3 (excluding a five acre exception area); Block 501, Lot 4; and Block 304, Lot 8, hereinafter referred to as "Property"; and

**WHEREAS**, the Grantors are the contract purchasers of the Property which is currently owned by Susan Anisfield Vallario Charitable Remainder Unitrust, pursuant to an agreement for the sale of real estate dated May 14, 1999; and

**WHEREAS**, Grantors submitted an application for Direct Easement Purchase to the SADC on July 28, 1999 for the sale of the Development Easement on the Property; and

**WHEREAS**, the SADC granted approval to Grantors' application on August 26, 1999; and

**WHEREAS**, on October 28, 1999, the SADC certified a fair market value of the Development Easement value at \$3,000 per acre; and

**WHEREAS**, pursuant to an Agreement to Sell Development Easement dated December 9, 1999, the SADC acquired a Development Easement on the Property on December 15, 1999 for \$3,000 per acre; and

**WHEREAS**, the total acreage of the Development Easement acquired by the SADC was 236.806 acres; and

**WHEREAS**, the SADC's surveyor calculated a 2.54 acre water body along the boundary of the Property; and

**WHEREAS**, pursuant to SADC policy, the SADC deducts acreage in water bodies along boundaries from total easement acreage when calculating the amount of consideration to be paid for development easements; and

**WHEREAS**, the amount of consideration paid by the SADC for the Grantors' development easement was based on 236.806 acres less 2.54 acres, or 234.266 acres; and

**WHEREAS**, the preservation of the Property will provide for economic, aesthetic, environmental and agricultural benefits for the County and its citizens; and

**WHEREAS**, the Warren County Agriculture Development Board (WCADB) expressed its support of the SADC's acquisition of the Development Easement on the Property and urged the SADC to acquire the Development Easement pursuant to the Direct Easement Purchase Program; and

**WHEREAS**, the WCADB agreed to contribute to the purchase price of the Development Easement in an amount to be determined pursuant to the "sliding scale method" described in N.J.A.C. 2: 76-6 (d) 1; and

**WHEREAS**, pursuant to the sliding scale method, the County's contribution ("cost share") is 26.67% of the SADC's per acre purchase price of \$3,000 per acre, which equals \$800 per acre;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Chosen Freeholders of the County of Warren that the freeholder director be and hereby is authorized to execute a cooperative agreement between the Warren County Board of Chosen Freeholders and the State Agriculture Development Committee providing for a county grant to the SADC in the amount of \$187,412.80, representing \$800.00 per acre (cost share of 26.67% of the SADC's per acre purchase price) multiplied by 234.266 acres; and

**BE IT FURTHER RESOLVED**, that the county chief financial officer be and hereby is directed to take all steps necessary to effectuate the purpose and intent of this resolution and the cooperative agreement including, but not limited to, the issuance of a county voucher in the amount noted above for signature and return by the appropriate state official.

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 Mr. DeBosh: yes Mrs. Stone: yes

**RESOLUTION 590-00**

On 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 August 9, 2000.

**RESOLUTION RE: APPROVAL OF SPECIFICATION WC2087P AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR HEALTH CARE MANAGEMENT SERVICES FOR THE WARREN COUNTY CORRECTIONAL CENTER.**

**BE IT RESOLVED**, that specification WC2087P for health care management services for the Warren County Correctional Center 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 will be provided in budget account 012800/5093 – Correctional Center Medical Expenses, Including Physicals

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 Mr. DeBosh: yes Mrs. Stone: yes

**RESOLUTION 591-00**

On 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 August 9, 2000.

**RESOLUTION RE: AUTHORIZATION TO AUCTION SURPLUS EQUIPMENT, VEHICLES, PARTS, FURNITURE, AND SUPPLIES OF THE COUNTY OF WARREN AND OTHER APPROVED AGENCIES.**

**WHEREAS**, the County of Warren is presently storing various items no longer needed for public use by county departments and agencies;

**BE IT RESOLVED**, by the County of Warren pursuant to the provisions of N.J.S.A. 40A: 11-36, that the said equipment, vehicles and supplies be and the same are hereby ordered to be disposed of by Public Auction, to be held Saturday, September 16, 2000 beginning at 10:00 A.M. prevailing time at the Warren County Road department facility, Route 519, White Township, New Jersey.

**BE IT FURTHER RESOLVED**, that Notice of said sale be published in newspapers at least seven (7) days prior to sale;

**BE IT FURTHER RESOLVED**, that all items be sold to the highest bidder, and the terms of the sale shall be sold as is and where is, without warranty or guarantee of any kind, upon payment of the full amount, subject to all lawfully advertised terms and restriction:

**NOW, THEREFORE, BE IT RESOLVED** that the Director of Purchasing is hereby authorized and directed to perform all acts and to execute, on behalf of this body, all documents required by Statute or this Resolution to effectuate said sale.

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 Mr. DeBosh: yes Mrs. Stone: yes

**RESOLUTION 592-00**

On 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 August 9, 2000.

**RESOLUTION APPROVING THE AGREEMENT FOR ENGINEERING SERVICES FOR THE INSPECTION OF SEWER MAIN CONSTRUCTION WITHIN THE RIGHT-OF-WAY OF COUNTY ROUTE #665, TOWN OF HACKETTSTOWN, WITH MASER CONSULTING, P.A. (TOWNSHIP ENGINEER) OF FLANDERS, NJ FOR AN AMOUNT NOT TO EXCEED \$2,500.00.**

**WHEREAS**, there exists a need for the professional services of an Engineer for the Inspection of the sewer main construction within the right-of-way of County Route #665, Town of Hackettstown; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et seq.) requires that the resolution authorizing the award of contracts for "professional services" without competitive bidding must be publicly advertised; and

**WHEREAS**, adequate funds are available in escrow account #40165 5100 00038 4834 and certified by the County Chief Financial Officer.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Chosen Freeholders of the County of Warren in the State of New Jersey as follows:

1. The Agreement between the Board of Chosen Freeholders of the County of Warren and Maser Consulting, P.A. of (Township Engineer) of Flanders, New Jersey, for professional services for the inspection of the above project, in the amount not to exceed \$2,500.00 currently on file in the Office of the County Engineer, be made a part of this resolution by reference and approved and entered into by the Board on behalf of the County of Warren.
2. The Director is hereby authorized to execute said letter of agreement by signing same.
3. This contract is awarded without competitive bidding as a professional service" under the provisions of the local Public Contracts Law because the services are to be performed by a person or persons authorized by law to practice a recognized profession.
4. Notice of this action shall be published in The Star Gazette, as required by law, within ten days of its adoption.

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 Mr. DeBosh: yes Mrs. Stone: yes

**RESOLUTION 593-00**

On 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 August 9, 2000.

**RESOLUTION APPROVING THE AGREEMENT FOR ENGINEERING SERVICES FOR THE INSPECTION OF ROADWAY IMPROVEMENTS WITHIN THE RIGHT-OF-WAY OF COUNTY ROUTE #652, MANSFIELD TOWNSHIP, WITH MACE CONSULTING ENGINEERS (TOWNSHIP ENGINEER), OF LOPATCONG, NJ FOR AN AMOUNT NOT TO EXCEED \$8,970.00.**

**WHEREAS**, there exists a need for the professional services of an Engineer for the Inspection of roadway improvements within the right-of-way of County Route #652, Mansfield Township; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et seq.) requires that the resolution authorizing the award of contracts for "professional services" without competitive bidding must be publicly advertised; and

**WHEREAS**, adequate funds are available in escrow account #40165 5100 99081 4834 and certified by the County Chief Financial Officer.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Chosen Freeholders of the County of Warren in the State of New Jersey as follows:

1. The Agreement between the Board of Chosen Freeholders of the County of Warren and

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Mace Consulting Engineers (Township Engineer) of Lopatcong, New Jersey, for professional services for the inspection of the above project, in the amount not to exceed \$8,970.00 currently on file in the Office of the County Engineer, be made a part of this resolution by reference and approved and entered into by the Board on behalf of the County of Warren.

2. The Director is hereby authorized to execute said letter of agreement by signing same.
3. This contract is awarded without competitive bidding as a "professional service" under the provisions of the local Public Contracts Law because the services are to be performed by a person or persons authorized by law to practice a recognized profession.
4. Notice of this action shall be published in The Star Gazette, as required by law, within ten days of its adoption.

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 Mr. DeBosh: yes Mrs. Stone: yes

**RESOLUTION 594-00**

On 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 August 9, 2000.

**RESOLUTION APPROVING THE AGREEMENT FOR ENGINEERING SERVICES FOR THE INSPECTION OF THE INSTALLATION OF NEW GAS SERVICE WITHIN THE RIGHT-OF-WAY OF COUNTY ROUTE #517, TOWN OF HACKETTSTOWN, WITH MASER CONSULTING, P.A. (TOWNSHIP ENGINEER) OF FLANDERS, NJ FOR AN AMOUNT NOT TO EXCEED \$1,200.00.**

**WHEREAS**, there exists a need for the professional services of an Engineer for the inspection of the installation of new gas service within the right-of-way of County Route #617, Town of Hackettstown; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et seq.) requires that the resolution authorizing the award of contracts for "professional services" without competitive bidding must be publicly advertised; and

**WHEREAS**, adequate funds are available in escrow account #40165 5100 000314834 and certified by the County Chief Financial Officer.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Chosen Freeholders of the County of Warren in the State of New Jersey as follows:

1. The Agreement between the Board of Chosen Freeholders of the County of Warren and Maser Consulting, P.A. of (Township Engineer) of Flanders, New Jersey, for professional services for the inspection of the above project, in the amount not to exceed \$1,200.00 currently on file in the Office of the County Engineer, be made a part of this resolution by reference and approved and entered into by the Board on behalf of the County of Warren.
2. The Director is hereby authorized to execute said letter of agreement by signing same.
3. This contract is awarded without competitive bidding as a "professional service" under the provisions of the local Public Contracts Law because the services are to be performed by a person or persons authorized by law to practice a recognized profession.
4. Notice of this action shall be published in The Star Gazette, as required by law, within ten days of its adoption.

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 Mr. DeBosh: yes Mrs. Stone: yes

**RESOLUTION 595-00**

On 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 August 9, 2000.

**RESOLUTION APPROVING CHANGE ORDER #1 FOR CONTRACT #WC2042 WITH**

**COLONNELLI BROS., INC. FOR THE WIDENING OF COUNTY BRIDGE #23003, COUNTY ROUTE #519 OVER THE PEQUEST RIVER, WHITE TOWNSHIP FOR A NET INCREASE OF \$49,903.00 AND A REVISED CONTRACT AMOUNT OF \$661,081.00.**

**WHEREAS**, Contract #WC2042 was awarded to Colonnelli Bros., Inc. for the widening of County Bridge #23003, County Route #519 over the Pequest River, White Township in the contract amount of \$611,178.00; and

**WHEREAS**, additional work to stabilize the footings on existing arches is necessary for a net increase of \$49,903.00; and

**WHEREAS**, said changes were recommended by the County Engineer; and

**WHEREAS**, adequate funds have been established in account S9165 5302 995302 5100 and certified by the County Chief Financial Officer.

**NOW, THEREFORE, BE IT RESOLVED** that the members of the Board of Chosen Freeholders of the County of Warren do hereby approve Change Order #1 for the above project for a net increase of \$49,903.00 and revised contract amount \$661,081.00

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 Mr. DeBosh: yes Mrs. Stone: yes

**RESOLUTION 596-00**

On motion by Mrs. Dickey, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held August 9, 2000.

**RESOLUTION TO APPOINT A MEMBER TO THE WARREN COUNTY ENVIRONMENTAL COMMISSION.**

**BE IT RESOLVED**, by the Board of Chosen Freeholders of the County of Warren that the following member is hereby appointed to the Warren County Environmental Commission pursuant to N.J.S.A. 40: 20-1.

**Region 1** (to fill an unexpired term)

Peter L. Grogan  
917 Liberty Street  
Belvidere, NJ 07823

Term to expire: July 26, 2001

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 Mr. DeBosh: yes Mrs. Stone: yes

On motion by Mrs. Dickey, seconded by Mr. DeBosh, a resolution is to be prepared for the appointment of Anthony Yancey, Hackettstown, NJ to fill an existing term on the WC Mental Health Board.

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

**RESOLUTION 597-00**

On 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 August 9, 2000.

**RESOLUTION AMENDING THE TERM OF ELLEN NERBAK TO THE WARREN COUNTY ECONOMIC DEVELOPMENT ADVISORY COUNCIL CHANGING THE DATE OF EXPIRATION TO DECEMBER 31, 2001.**

**BE IT HEREBY RESOLVED**, by the Board of Chosen Freeholders of the County of

Warren hereby amends the term of the following member of the Warren County Economic Development Advisory Council, changing the date of expiration from July 12, 2002, to December 31, 2001:

Ellen Nerbak  
765 Rockport Road  
Hackettstown, NJ 07840  
(Mansfield Township)

Term to expire: Dec. 31, 2001

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

**RESOLUTION 598-00**

On 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 August 9, 2000.

**RESOLUTION AMENDING THE TERM OF JULIE MORRINGELLO TO THE WARREN COUNTY ECONOMIC DEVELOPMENT ADVISORY COUNCIL, CHANGING THE DATE OF EXPIRATION TO DECEMBER 31, 2001.**

**BE IT HEREBY RESOLVED**, by the Board of Chosen Freeholders of the County of Warren hereby amends the term of the following member of the Warren County Economic Development Advisory Council, changing the date of expiration from July 12, 2002, to December 31, 2001:

Julie Moringello  
285-A Primrose Lane  
Washington, NJ 07882

Term to expire: Dec. 31, 2001

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 Mr. DeBosh: yes Mrs. Stone: yes

**RESOLUTION 599-00**

On 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 August 9, 2000.

**RESOLUTION APPOINTING GREG DONALDSON TO THE WARREN COUNTY ECONOMIC DEVELOPMENT ADVISORY COUNCIL FOR A TERM EXPIRING DECEMBER 31, 2001.**

**BE IT HEREBY RESOLVED**, by the Board of Chosen Freeholders of the County of Warren hereby appoints the following member of the Warren County Economic Development Advisory Council, effective August 9, 2000:

Greg Donaldson  
176 Airport Road  
Hackettstown, NJ 07840  
(Mansfield Township)

Term to expire: Dec. 31, 2001

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 Mr. DeBosh: yes Mrs. Stone: yes

**RESOLUTION 600-00**

On 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 August 9, 2000.

**RESOLUTION APPOINTING DONALD J. LAWATSCH TO THE WARREN COUNTY ECONOMIC DEVELOPMENT ADVISORY COUNCIL FOR A TERM EXPIRING DECEMBER 31, 2001.**

**BE IT HEREBY RESOLVED**, by the Board of Chosen Freeholders of the County of Warren hereby appoints the following member of the Warren County Economic Development Advisory Council, effective August 9, 2000:

Donald J. Lawatsch  
13 Merion Lane  
Washington, NJ 07882  
(Washington Township)

Term to expire: Dec. 31, 2001

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 Mr. DeBosh: yes Mrs. Stone: yes

On motion by Mr. DeBosh, seconded by Mrs. Dickey, a resignation received from Susan Morgan as a member of the WC Cultural and Heritage Commission effective August 17, 2000 was accepted with regret and a letter of thanks is to be sent to her.

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

No action was taken on the memo from Susan Morgan advising that Richard Harpster, Vice-Chair of the WC Cultural and Heritage Commission will decline assuming the chairman's position upon Ms. Morgan's resignation.

**RESOLUTION 601-00**

On 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 August 9, 2000.

**RESOLUTION CREATING THE POSITION OF STOREKEEPER, CLASSIFIED, AND ABOLISHING THE POSITION OF STOCK CLERK, CLASSIFIED, WITHIN THE WARREN COUNTY ROAD DEPARTMENT.**

**BE IT RESOLVED**, by the Warren County Board of Chosen Freeholders that the position of *storekeeper*, classified, is created within the Warren County Road Department to enhance and maintain the efficiency and effectiveness of operations; and

**BE IT FURTHER RESOLVED**, that the position of *stock clerk*, classified, be abolished **NOW, THEREFORE, BE IT RESOLVED** by the Warren County Board of Chosen Freeholders that the title of *storekeeper* is established on AFSCME Local 3287, range group 0940 and be made effective August 17, 2000.

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 Mr. DeBosh: yes Mrs. Stone: yes

**RESOLUTION 602-00**

On motion by Mr. DeBosh, seconded by Mrs. Stone, the following resolution was adopted

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by the Board of Chosen Freeholders of the County of Warren at a meeting held August 9, 2000.

**RESOLUTION CREATING THE POSITION OF LABORER, CLASSIFIED, WITHIN THE  
WARREN COUNTY ROAD DEPARTMENT.**

**BE IT RESOLVED**, by the Warren County Board of Chosen Freeholders that the position of *laborer*, classified, is created within the *Warren County Road Department* for the purpose of enhancing and maintaining the efficiency and effectiveness of operations; and

**NOW, THEREFORE, BE IT RESOLVED** by the Warren County Board of Chosen Freeholders that the position of *laborer* is established on AFSCME Local 3287, range group 0340 and be made effective August 17, 2000.

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

County Counsel David Wallace had executive session items only.

County Engineer David Hicks had no report.

County Planner David Dech reported that regarding the Still Valley Arch, there was a meeting at NJ Transit last month with Senator Schluter attending, also the Pohatcong Council, the Historic Society, etc. It was stated that NJ Transit will work with Pohatcong to help preserve the arch. Demolition is not scheduled for this year. They will take the \$260,000 earmarked for demolition and use it for preservation. Everyone involved feels that preservation is worthwhile. The issues are ownership and long-term maintenance. NJ Transit is willing to lease it to another entity. Mrs. Stone said that will not be the county. Mr. Dech said that Senator Schluter will be scheduling another meeting shortly. Mr. Dech said that the county can offer, if all issues are resolved, to go to MCCTFC for funds.

Mr. Dech said that at the SWAC meeting last week, a motion was passed regarding sludge as follows: "The SWAC recommends to the Board of Chosen Freeholders that the Board direct County Counsel to institute legal action against the New Jersey Department of Environmental Protection to enforce existing regulations concerning the application of sludge products on farm fields. The SWAC also recommends that County Counsel be directed to ask Warren County municipalities and other NJ Counties that may be encountering similar situations to join in the suit".

This was prompted by the lack of enforcement on the application of sludge, by DEP. This is becoming more prevalent in the county and the state.

Mrs. Dickey said she doesn't understand why Mrs. Stone encouraged SWAC to sue the DEP without having them read the Task Force Report and review the ordinance first. She said that a suit at this time is doomed to failure with Duane Copley's letter stating that he hasn't received plans for five years and the plans he has are outdated - yet no attempt was made to rectify that situation. Obviously, Soils wasn't doing their part to ensure compliance either and the county is not in a position to say that the DEP was lax in their role. In fact, the DEP has documentation supporting that they have monitored both Hydropress and Middlesex Sewer Authority Products and have enforced their regulations. Mrs. Dickey said that the Task Force had a strategy meeting last week and is in the process of deciding how best to present an ordinance that follows Best Management Practice for agriculture and incorporates controls and enforcement the state will support. We already have other counties and municipalities that are interested in participating and are reaching out to them for visible support. We won't win this suit.

Mrs. Stone said this is long overdue. DEP has totally ignored the Sludge Task Force report. Because they are not following their own rules and regulations, they are creating problems all over.

This is long overdue. There is a position on SWAC for a DEP member for every meeting but they never come. It is imperative that they follow their own regulations.

Mrs. Dickey said that DEP has followed their own rules and regulations and plans are in effect. If we sue them, we will lose our momentum. Mrs. Stone said our Health Department is inundated with monitoring that the DEP does not do. If they issue permits to apply sludge, they need to enforce them.

Mr. DeBosh said he is surprised that Mrs. Dickey is defending DEP as they do not follow rules and regulations. Clearly they have not been following the rules. We need to get their attention. We should support SWAC on this.

On motion by Mrs. Stone, seconded by Mr. DeBosh, the BCF supports SWAC in this effort.  
ROLL CALL: Mrs. Dickey: no Mr. DeBosh: yes Mrs. Stone: yes

County CFO Pete Houck had no report.

County Administrator Steve Marvin submitted six hiring requests and all were approved.

Regarding the follow-up reports on courthouse space, he asked where we are going from here. The issues of location are important to both. There is no statute saying that the Tax Board has to be in Belvidere but it would be counterproductive to move them away from the County Clerk. There doesn't appear to be any available space in Belvidere for sale or for rent.

Mrs. Stone said she knows of a property for sale.

Mr. DeBosh said we should hire a professional to look at our space problems and look at our options.

Mrs. Dickey asked why a member of the Tax Board live in Morris County. Doesn't the law require that their members be county residents? Mr. DeBosh suggested that she address this question at the level of those who make these appointments. The Governor makes the appointments. Mrs. Stone said this is not our call.

Under freeholder comments, Mrs. Dickey said that the Planning Board voted to ask for an extension of the comment period on the new water quality rules and additional meetings before they are adopted, as have several counties. She would like to move that this board make the same request and notify our legislators asking for their support. The board agreed to support their request.

Mrs. Dickey asked Mr. Hicks what the status is of her truck resolutions and Mr. Hicks said he will review them as soon as possible.

Mrs. Dickey asked Mrs. Stone why the appointments for Jerry Coyle and Alida Tuin haven't been done yet and asked if Mrs. Stone has talked to Mr. Coyle and why can't we proceed on his appointment and Alida's change of title. Mrs. Stone said she has to get more information.

Mr. DeBosh had no comments.

Mrs. Stone requested that Linda Dickson be appointed as a member to the Cultural and Heritage Commission. The Commission has had ample time to submit a name and they have not done so.

On motion by Mrs. Stone, seconded by Mr. DeBosh, a resolution is to be prepared for the next meeting to appoint Linda Dickson to the WC Cultural and Heritage Commission.

ROLL CALL: Mrs. Dickey: no, but this is nothing personal, she doesn't like that we are deviating from the procedure Mr. DeBosh: yes Mrs. Stone: yes

Mrs. Dickey said that she objects to the deviation from the normal way we do things. The board should be asked first. She asked if we intend to do this with all other boards. Mrs. Stone said that Cultural and Heritage has had ample time to make a recommendation.

Under public comments, Gladys Blemmer said it is her understanding that you are not supposed to make comments after your vote. We should check with County Counsel on this. Mr. DeBosh said he has no problem with comments being read into the record. County Counsel Wallace said that this is a board decision, whether or not they want to include comments in the vote.

Chris Pessolano, Purchasing Director, reminded everyone about the annual County Auction to be held Saturday, September 16th.

There were no press comments or questions.

### **RESOLUTION 603-00**

On motion by Mrs. Dickey, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held August 9, 2000.

**RESOLUTION AUTHORIZING THE WARREN COUNTY BOARD OF CHOSEN FREEHOLDERS TO HOLD AN EXECUTIVE SESSION ON AUGUST 9, 2000. THE GENERAL NATURE OF THE SUBJECT TO BE DISCUSSED INCLUDES VARIOUS PERSONNEL MATTERS; CONTRACTS; LITIGATION; LAND ACQUISITION; ATTORNEY/CLIENT PRIVILEGED COMMUNICATIONS; PUBLIC SAFETY AND PROPERTY; 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.

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.
6. Public safety and property.

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.

Naomi J. Stout Deputy Clerk

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

Director Stone called for a fifteen-minute break at 10:30 a.m.

The board went into executive session at 11:00 a.m.

The board returned to open session at 12:37 p.m.

Nothing discussed in executive session has lost its confidentiality.

On motion by Mr. DeBosh, seconded by Mrs. Stone, authorization was given to County Counsel David Wallace to file a notice of cross petition in the Regrut matter and for Mr. Wallace and Mr. DeBosh to discuss a settlement with Mr. Regrut.

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

On motion by Mrs. Stone, seconded by Mr. DeBosh, authorization was given to County Counsel David Wallace to settle the Miller v. Warren Acres matter as discussed in executive session.

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

On motion by Mr. DeBosh, seconded by Mrs. Stone, the executive session minutes of the regular meeting of the Board of Chosen Freeholders held July 26, 2000 were approved as presented.

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

The meeting was recessed at 12:38 p.m. and will resume at approximately 1:00 p.m. for the Planning Board appeal.

The appeal of the Planning Board decision began at 1:22 p.m. with Atty. Michael Selvaggi, Atty. Janet Lucas and Planning Board Atty. Guy Wilson attending.

This appeal is being heard in a timely fashion. The Board of Chosen Freeholders is sitting as an appellate body. They will hear legal arguments, copies of transcripts have been distributed and briefs with attachments have been forwarded. David Wallace will chair this hearing.

The applicant should proceed first with oral arguments, represented by Atty. Janet Lucas from the firm of Michael C. Gaus.

Ms. Lucas said that the Bonners and Mr. Mulligan have submitted for a minor subdivision with a shared driveway. It is the position of the applicant that this would create a dangerous situation. It is also a concern of Liberty Township. An engineering report was provided and it would propose a danger. The requirement for sight distance should be considered in advance. Those concerns were not submitted to the Planning Board. The County sets up certain laws for sight distance and the rules need to be adhered to. The applicant has said that a certain grading could be done. The applicant has shown sufficient reason to reopen this at the Planning Board level to question whether all the considerations have been made to follow the rules and regulations of the County.

Mr. Wallace asked if there were any questions.

Freeholder DeBosh asked if the position is that the applicant did not have sufficient sight distance? Ms. Lucas said that they would consider that grading would be sufficient, grading needed

## MINUTES

on the Mulligan property.

Mrs. Dickey asked if they are saying that the improvement for the public good has been created by the application of the subdivision? Ms. Lucas said that the County never required a grading at that place.

There were no further questions.

Atty. Michael Selvaggi said that we are here to review the Planning Board decision to determine whether they made a mistake. The Planning Board did a studied review of the needs in the application in the fall of 1999. It is the obligation of the objectors to show where the mistake was made. The safety issue on Rt. 611 was raised by the Local Planning Board. The County Planning Board said it was not a safety issue. They looked at the issue and did not find enough evidence to prove a safety hazard. The objectors had an opportunity to demonstrate their position. Liberty's Planning Board approved and found placement of the driveway entrance was o.k. and safe. The variance was warranted and there was no safety issue. William Hann of the County Planning Board said that this didn't warrant a traffic study and would not raise a safety hazard. There is no evidence that they were wrong. They had to look at this objectively. They relied on the Planner and the Engineer and they found it was a proper use of the property. The County felt that accessing Mulligan's property and grading would be proper. The objectors had an obligation to show how the County Planning Board made a mistake. They have to show where the County Planning Board erred. Mr. Selvaggi doesn't feel they did.

Mr. Wallace asked if there are any questions and there were none.

Mr. Wallace said that the freeholder board has determined that Guy Wilson, County Planning Board Attorney may speak at this time.

Mr. Wilson cited Statute 40:27-6.2 which establishes the jurisdiction of the County Planning Board and quoted the statute. The jurisdiction is very limited. In this situation, the freeholder board has to establish if this is a reasonable decision made by the Planning Board.

The resolution from Liberty Township Planning Board is not binding. The letter from the County Engineer states that the county prefers a common driveway in a subdivision. Regarding the safety issues, dedication of additional right-of-way is being given and perhaps realignment should be considered at this intersection of Rt. 611/679. Also, the board heard that the sight distances would be improved. Can this board deny a subdivision? This is a minor two-lot subdivision. Mr. Hann said on May 22nd that no traffic study was needed, this doesn't present a safety hazard. In conclusion, in order to overturn the Planning Board decision, you have to determine that they didn't make a rational decision.

Mrs. Dickey had a question on the statute section. Mr. Wilson said that there is some increase in traffic. It is appropriate for the board to ask for the site grading.

Mr. DeBosh asked if the improvements required by the County Engineer meet sight distance rules? Mrs. Dickey asked who is doing the work. Mr. Wilson said that the applicant will hire the work to be done, work that is required by the County.

Mr. Wilson said there are lots of slopes on this property that limit places to put the driveway. Mr. DeBosh said that there is a difference between the driveway in a single or multi subdivision. The driveway would have to be there to meet the sight distance requirements. Mr. Wilson made the statement that they are not using the correct standard of review.

Mr. Wallace asked if there are any more questions. He pointed out that the Board of

Chosen Freeholders is serving as an appellate body. They are only reviewing facts heard by the Planning Board. Now they have to determine if their decision was a reasonable decision.

Mr. Wallace suggests that the BCF take the body of facts submitted and oral arguments presented today and make their decision. In his opinion, and according to statute, they should make their deliberation in public.

Mrs. Stone said she definitely supports the Planning Board's decision.

Mr. DeBosh also supports the Planning Board decision but said that the part that is disturbed has to be put back.

Mrs. Dickey said she has some problems with the decision, things that have not been adequately explored. However, without reopening the testimony, she supports the Planning Board decision but they should have looked at this further. Mr. DeBosh said it appears to meet all the standards.

On motion by Mr. DeBosh, seconded by Mrs. Stone, the board supports the decision made by the County Planning Board.

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

On motion by Mr. DeBosh, seconded by Mrs. Dickey, and there being no further official business to come before the board at this time, the meeting was adjourned at 2:23 p.m.

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

**ATTESTED TO:**

**Naomi J. Stout, Deputy Clerk**