

MINUTES**JANUARY 9, 2002**

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 January 9, 2002 at 7:36 p.m.

The meeting was called to order by Director Doherty and upon roll call the following members were present: Freeholder Michael J. Doherty, Freeholder John DiMaio and Freeholder James DeBosh.

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

Director Doherty 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 EXPRESS-TIMES, STAR-LEDGER, THE STAR/GAZETTE, BLAIRSTOWN PRESS AND THE NEWS 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. DiMaio, seconded by Mr. DeBosh, the minutes of the regular meeting of the Board of Chosen Freeholders held December 12, 2001 were approved as presented.

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

On motion by Mr. DeBosh, seconded by Mr. DiMaio, the executive session minutes of the regular meeting of the Board of Chosen Freeholders held December 12, 2001 were approved as presented.

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

On motion by Mr. DeBosh, seconded by Mr. DiMaio, the minutes of the regular meeting of the Board of Chosen Freeholders held December 19, 2001 were approved as presented.

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the minutes of the executive session of the Board of Chosen Freeholders held December 19, 2001 were approved as presented.

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

The scheduled meeting to discuss an exception for the current hiring freeze with Terry Lee, Warren County Clerk began. He presented to the Board of Chosen Freeholders a chart of his department including position descriptions along with their duties. He explained he received the retirement notice around the same time the hiring notices were implemented. However, he felt that if this position is not filled it could impose possible suits to the county. Many for failure to comply with land title filings and other state mandated filings that his department processes. He further explained that his department brought in \$1,442,000 in fees for work performed in 2001 and expects that will increase to \$2,000,000 with the new state fee schedule approval. Mr. Doherty stated that he believes this was a compelling case presented tonight and would agree to this request considering the potential for lawsuits if they delay state mandated filing requirements. Mr. DiMaio wanted to know the department budget? Mr. Lee explained his budget is \$661,000 for both the Operating Expenses and Salary and Wages; this department gives back two times what it

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spends. Mr. DiMaio agreed to the request also noting the new state fee schedule will help in the potential for increased revenue for this department. Mr. DeBosh noted he agreed with all that was presented.

Another request for presentation from the floor from Mr. Lester Shotwell, Chairman, Library Commission and Tom Carney, Director of the Warren County Library was accepted. Mr. Shotwell again asked for approval of the positions requested as they have these funds in their budget through March 31, 2002. Time is of the essence to get the time necessary to train the replacement staff. Mr. Doherty asked him to be patient and to allow the Board to get through their budget hearings before a final decision would be allowed, it is his hope that it will be January 23, 2002. He was disappointed by the misinformation that is being sent out to the public that the bookmobile is being removed. In the future he would prefer if Mr. Shotwell would communicate directly with him his concerns instead of getting the whole public upset. Mr. DiMaio added that nowhere was there any mention that the bookmobile was going to be removed. Mr. Shotwell responded that history of prior Boards had left that impression with the public not him or his department. He also noted that the other branches in the County are stressed mainly due to the current County budget hearings. We have our own separate Library Tax and we should be allowed to provide the needed service that the public deserves. Mr. DiMaio stated that he would like to know where the local Municipal Library Tax rates are in comparison with the Board of Chosen Freeholders contributions. Mr. Shotwell agreed that he would get that and advise him of his findings. However, this is our budget, which has coverage until March 31, 2002. If you are not cutting the library then why won't you approve our request to have the staff necessary to provide the service to the public? Mr. DeBosh defended Mr. Shotwell's concerns by remarking this is like apples and oranges, they have their own tax, their budget ends March 31, 2002 and they are proving the funds are there to request these positions for hire. Mr. Doherty again asked all parties concerned to have patience and to allow the answer to come January 23, 2002. He thanked Mr. Shotwell for his presentation and concerns.

Under public comments on agenda items, Mr. Reggie Regrut, Phillipsburg, NJ asked about item number P, executive session. Is tonight's meeting being taped? Mr. Doherty responded yes it is. Mr. Regrut asked if the executive session portion is taped too? Mr. Doherty responded no, we have our Clerk take written notes. Mr. Regrut shared with the Board that he feels the records would be more accurately recorded by having them taped vs. written notes and asked the Board to consider his suggestion. Then Mr. Regrut wanted to know if there was a policy in place relating to release of Executive Session minutes. After long discussion back and forth with the Board, County Counsel Mr. Bell and Mr. Regrut it was noted that there is a policy being drafted for approval by the Board at a future meeting.

RESOLUTION 19-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held January 9, 2002.

RESOLUTION TO PAY BILLS #2001-47.

Be and it is hereby resolved that Master Voucher Certificate
For Certification/Ratification for Payment No.2001-47 dated December 28,2001
 In the amount of **\$ 2,597,188.52** including bills and
 Investments, is approved subject to the review of the vouchers
 By the Board of Chosen Freeholders.

2001-47**\$ 1,356,349.80**

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Freeholders of the County of Warren on the date above mentioned.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 22-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held January 9, 2002.

RESOLUTION TO ESTABLISH A POLICY FOR THE USE OF IN-STREET PEDESTRIAN CROSSING SIGNS ON THE WARREN COUNTY ROAD SYSTEM.

WHEREAS, recent legislation passed by the State of New Jersey would allow the use of in-street pedestrian crossing signs on County Roadways; and

WHEREAS, some municipalities in Warren County have expressed interest in the use of these signs.

NOW, THEREFORE BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren in the State of New Jersey does hereby approve the attached policy titled "Warren County Policy on the Use of In-Street Pedestrian Crossing Signs", dated December 18,2001.

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.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 23-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held January 9, 2002.

RESOLUTION ADOPTING THE REVISED WARREN COUNTY HIGHWAY AND BRIDGE STANDARDS.

WHEREAS, there is a need to upgrade our current highway and bridge design and access management standards and regulations; and

WHEREAS, these standards will supplement and become part of the Warren County Development Review Regulations; and

WHEREAS, these standards and regulations will provide guidance for the design of road and bridge improvements under County jurisdiction; and

WHEREAS, these regulations will establish the procedures and requirements for obtaining access to the County road, performing work within the County rights-of-way, and/or performing work which impacts a County bridge or culvert; and

NOW, THEREFORE BE IT RESOLVED, by the Board of Chosen Freeholders of the County of Warren that the "Warren County Highway and Bridge Standards" dated December 28, 2001 are hereby approved and adopted effective February 1, 2002.

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.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 24-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held January 9, 2002.

MINUTES**JANUARY 9, 2002****RESOLUTION DESIGNATING CHRISTOPHER J. PESSOLANO, WARREN COUNTY PURCHASING AGENT AS THE PUBLIC AGENCY COMPLIANCE OFFICER (P.A.C.O.) FOR THE COUNTY OF WARREN.**

WHEREAS, the Board of Chosen Freeholders of the County of Warren is required to appoint a Public Agency Compliance Officer (P.A.C.O.) pursuant to P.L. 1975, C.127 (N.J.A.C. 17:27) i

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren that Christopher J. Pessolano is hereby designated as Public Agency Compliance Officer (P.A.C.O.) for the term January 10, 2002 through January 8, 2003.

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.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 25-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held January 9, 2002.

**RESOLUTION APPOINTING STEPHEN H. SHAW, ESQ.
AS WARREN COUNTY ASSISTANT COUNTY COUNSEL.**

WHEREAS, there exists a need for the Warren County Board of Chosen Freeholders to appoint an Assistant County Counsel; and

WHEREAS, Stephen H. Shaw, who is an associate of the law firm of Joseph J. Bell & Associates and who is an individual who has been a municipal practitioner for over twenty (20) years and has been recommended for appointment to the position;

NOW, THEREFORE, BE IT RESOLVED that the Warren County Board of Chosen Freeholders hereby appoints Stephen H. Shaw, Esq. as Warren County Assistant County Counsel.

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.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 26-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held January 9, 2002.

RESOLUTION AUTHORIZING THE PUBLIC HEALTH COORDINATOR TO APPLY FOR A BIOTERRORISM PREPAREDNESS AND RESPONSE GRANT FROM THE NEW JERSEY DEPARTMENT OF HEALTH AND SENIOR SERVICES IN THE AMOUNT OF \$85,000 FOR THE PERIOD JANUARY 1, 2002 - JUNE 30, 2002.

Whereas, the September 11th destruction of the World Trade Center and the anthrax mail attacks in October showed our vulnerability to terrorist attacks, and

Whereas, the incidents revealed a need to improve public health response at all levels of government to terrorist attacks, and

Whereas, further attacks from harmful bacteria, viruses, biotoxins and radiologic and chemical agents are likely, and .

Whereas, State funding is available to counties for multi-year projects, to bolster public health planning, surveillance and response to terrorist attacks;

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Now , Therefore Be It Resolved, that the Warren County Board of Chosen Freeholders authorizes the Public Health Coordinator to apply for an \$85,000 Bioterrorism Preparedness and Response Grant for the period January 1,2002 -June 30, 2002, and if approved, to execute a grant contract for the project with the New Jersey Department of Health and Senior 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.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 27-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held January 9, 2002.

RESOLUTION AUTHORIZING THE DIRECTOR OF THE WARREN COUNTY BOARD OF CHOSEN FREEHOLDERS TO SIGN CONTRACT 02ALWN WITH THE NEW JERSEY DEPARTMENT OF HUMAN SERVICES THROUGH THE WARREN COUNTY DEPARTMENT OF HUMAN SERVICES FOR PLANNING SERVICES IN THE AMOUNT OF \$318,467 (\$266,369 NJDHS FUNDING; \$52,098 COUNTY MATCH) FOR THE PERIOD JANUARY 1, 2002 THROUGH DECEMBER 31, 2002; SUBJECT TO THE AVAILABILITY OF FUNDS.

WHEREAS, the NJ Department of Human Services has been duly designated to administer or supervise the administration of human services problems, as defined in the New Jersey State plans for human services; and

WHEREAS, the NJ Department of Human Services desires that the Warren County Department of Human Services provide planning services in accordance with the terms and conditions contained in the attached contract;

NOW, THEREFORE BE IT RESOLVED that the Director of the Board of Chosen Freeholders is authorized to execute agreement 02ALWN with the NJ Department of Human Services for the use of funds for planning services by the Warren County Department of Human Services, in the amount of \$266,369 with a county match required of \$52,098 (\$15,045 in-kind "CCE" match; \$37,053 cash match) for a total program cost of \$318,467 during the period January 1, 2002 through December 31, 2002; subject to the availability of funds in the 2002 County Budget.

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.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 28-02

On motion by Mr. DeBosh, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held January 9, 2002.

RESOLUTION RE: APPROVAL OF SPECIFICATION WC0202 AND AUTHORIZATION TO ADVERTISE FOR PROPOSALS TO RENT COUNTY LAND FOR FARMING 20.0 ACRES, FOUL RIFT ROAD & ROUTE 519 - BLOCK 21, LOT 14 OF WHITE TOWNSHIP, PROPERTY ADJACENT TO ADMINISTRATION BUILDING.

BE IT RESOLVED, that specification WCO202 for rental of county owned land for farming purposes is hereby approved

BE IT FURTHER RESOLVED, that the Director of Purchasing is hereby directed to advertise for bids for the above in the Express Times.

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.

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Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 29-02

On motion by Mr. DeBosh, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held January 9, 2002.

RESOLUTION RE: APPROVAL OF SPECIFICATION WC 0201 AND AUTHORIZATION TO ADVERTISE FOR PICKUP AND DISPOSAL OF TRASH FROM VARIOUS COUNTY LOCATIONS.

BE IT RESOLVED, that specification WC0201 for the pickup and disposal of trash from county buildings is hereby approved

BE IT FURTHER RESOLVED, that the Director of purchasing is hereby directed to advertise for bids for the above in the Express Times.

Funding for this contract will be provided in budget accounts 013100/5029 Buildings & Grounds contracted Services, 012900/5029 Road maintenance contracted Services, 012770/5029 Juvenile Detention Center Contracted Services, 013504/5029 -Warren Haven Maintenance contracted Services, 153901/5029 Library Administration Contracted 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.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 30-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held January 9, 2002.

RESOLUTION ACCEPTING A PROPOSAL BY FINELLI CONSULTING ENGINEERS, P.C. OF WASHINGTON, NEW JERSEY, TO PREPARE A BOUNDARY SURVEY, INCLUDING MAP AND DESCRIPTION, FOR BLOCK 13, LOT 1.01, BLOCK 14, PART OF LOT 14, LOPATCONG TOWNSHIP, IN THE AMOUNT OF \$2,300.

WHEREAS, the Warren County Board of Chosen Freeholders has instituted an Open Space Tax for the acquisition of property identified in the Warren County Open Space Plan; and

WHEREAS, surveys are required by the Green Acres Program prior to negotiations for acquisition; 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 Account #0389450658941075065 (OSTF/Recreation & Conservation Land Acquisition) and certified by the Chief Financial Officer;

NOW, THEREFORE, BE IT RESOLVED by the Warren County Board of Chosen Freeholders as follows:

1. The proposal by Finelli Consulting Engineers, P. C., to prepare a boundary survey of Block 13, Lot 1.01, and Block 14, part of Lot 14, in Lopatcong Township, New Jersey, in the amount of \$2,300.00 be accepted.
2. The proposed boundary survey be completed and submitted to the Warren County Planning Department for their review within 60 days of authorization of the agreement.

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3. The Freeholder Director is hereby authorized to execute said agreement.
4. Notice of this action shall be published in The Star-Gazette as required by law within ten (10) 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.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 31-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held January 9, 2002.

RESOLUTION RE: APPROVING THE PROFESSIONAL SERVICES AGREEMENT FOR LEGAL SERVICES FOR REVIEW AND AUDIT OF BILLS FROM MORRISTOWN MEMORIAL HOSPITAL IN REGARDS TO MORRISTOWN MEMORIAL HOSPITAL VS. WARREN COUNTY (MALMGREN) TO RUSSO & RUSSO, LLP IN AN AMOUNT NOT TO EXCEED \$10,750.00

WHEREAS, it has been recommended that the county enter into a contract for professional legal services for the review and audit of bills from Morristown Memorial Hospital and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et. seq.) requires that a resolution authorizing the award of contracts for "professional services" without competitive bids and the contract itself must be available for public inspection and

WHEREAS, the Director of Purchasing has certified that this contract meets the statute and regulations governing the award of such contracts and

NOW THEREFORE BE IT RESOLVED, that a contract is hereby awarded to Russo & Russo, LLP of Bethlehem, Pennsylvania for providing legal service for the review and audit of bills from Morristown Memorial Hospital in regards to Morristown Memorial Hospital vs. Warren County (Malmgren) in an amount not to exceed \$10,750.00

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

1. The Director is hereby authorized and directed to enter into a professional service agreement with Russo & Russo, LLP of Bethlehem, Pennsylvania. ,
2. This Service is awarded without competitive bidding as a Professional Service in accordance with (40A: 11-5(1) (a) (i) of the Local Public Contracts Law.
3. A notice of this action shall be published in the Express Times, as required by law, within ten days of its adoption. .
4. Funds for this contract are provided in budget account 011550/R5100 Reserved County Counsel Operating Expenses.

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.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 32-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held January 9, 2002.

RESOLUTION RE: AUTHORIZATION TO ISSUE A PURCHASE ORDER TO M/A-COM INC., C/O: PROCOMM SYSTEMS, INC., UNDER NEW JERSEY STATE CONTRACT #A42362 COVERING RADIO EQUIPMENT & ACCESSORIES FOR ANNUAL RADIO EQUIPMENT MAINTENANCE 1/01/02 THRU 12/31/02 FOR THE WARREN COUNTY COMMUNICATIONS

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CENTER IN THE AMOUNT OF \$74,450.

BE IT RESOLVED, that the purchasing department is authorized to issue a purchase order for maintenance costs for various communication center radio equipment is hereby awarded

to.M/A-Com, Inc., Lynchburg, V A

in the amount of.\$74,450.00

at the prices established under New Jersey State Contract #A4236Z

Funding for this contract has been provided in budget account 012500/5026 - Communication Center- Contracted Equipment Maintenance

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.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 33-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held January 9, 2002.

RESOLUTION FOR AWARD OF CONTRACT TO HACKETTSTOWN HOSPITAL FOR PROVISION OF HUMAN SERVICES FOR THE PERIOD JANUARY 1, 2002 THROUGH DECEMBER 31, 2002 IN THE AMOUNT OF \$35,000.

BE IT RESOLVED that a contract for provision of human services is hereby awarded to Hackettstown Hospital in the total amount of \$35,000 for the following program(s):

PARTIAL HOSPITALIZATION

for the contract period January 1, 2002 through December 31, 2002 as per the agency's 2002 Competitive Contract (WC0166C) submitted on or before October 5,2001 to the Warren County Department of Human Services and reviewed in cooperation with the departments advisory boards; subject to funding availability through the 2002 Chapter 51 grant with the NJ Department of Health & Senior Services.

BE IT FURTHER RESOLVED that the Director of the Board of Chosen Freeholders be authorized and directed to execute the necessary contract.

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.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

On motion by Mr. DiMaio, seconded by Mr. Doherty, a resolution is to be prepared for the next public meeting for the reappointment of Mary Baldwin and Robert Shandor as members to the WC Board of Recreation Commission.

Mr. DeBosh asked why the last recommendation Jane Bullis, was not considered as Mr. Shandor is already on other commission boards? Mr. Doherty responded that they would like to consider other people for this commission.

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

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On motion by Mr. DeBosh, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held January 9, 2002.

RESOLUTION APPOINTING MEMBERS TO THE WARREN COUNTY LOCAL ADVISORY COMMITTEE ON ALCOHOLISM AND DRUG ABUSE (LACA/DA).

BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren that the following individuals are appointed to the Warren County LACA/DA for a two (2) year term:

Charles Raffaele,
443 Russell Avenue
Phillipsburg, NJ 08865

Term to Expire: December 31, 2003

Thomas McManus,
310 A Main Street
Hackettstown, NJ 07840

Term to Expire: December 31, 2003

Steven Siegel,
Prosecutor's Office
Court House
Belvidere, NJ 07823

Term to Expire: December 31, 2003

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.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 35-02

On motion by Mr. DeBosh, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held January 9, 2002.

RESOLUTION REAPPOINTING MEMBERS TO THE WARREN COUNTY LOCAL ADVISORY COMMITTEE ON ALCOHOLISM AND DRUG ABUSE (LACA/DA).

BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren that the following individuals are reappointed to the Warren County LACA/DA for a two (2) year term:

John Feeney
305 Lows Hollow Road
Stewartsville, NJ 08886

Term to Expire: December 31, 2003

Robert Frankenfield
Warren Cty. Welfare Dept.
2nd & Hardwick Street
Belvidere, NJ 07823

Term to Expire: December 31, 2003

John Kirkman
2 Morning Dove Terrace
Hackettstown, NJ 07840

Term to Expire: December 31, 2003

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.

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ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 36-02

On motion by Mr. DeBosh, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held January 9, 2002.

RESOLUTION REAPPOINTING A MEMBER TO THE WARREN COUNTY PLANNING BOARD.

BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren that the following individual is reappointed to the Warren County Planning Board for a three (3) year term:

Desiree Dunn

Term to Expire: September 19, 2004

5 Walnut Lane

Blairstown, NJ 07825

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.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 37-02

On motion by Mr. DiMaio, seconded by Mr. Doherty, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held January 9, 2002.

RESOLUTION APPOINTING A MEMBER TO THE WARREN COUNTY PLANNING BOARD.

BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren hereby appoint the following individual to the Warren County Planning Board vacancy position effective January 9, 2002:

Mark W. Turker

Term to Expire: September 19, 2004

932 Liberty Street

Belvidere, NJ 07823

Mr. DeBosh stated that he was not aware of this request and feels this individual is a political appointment. In the future he would like his colleagues to discuss appointment intention with him ahead of time.

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.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: no, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 38-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held January 9, 2002.

RESOLUTION APPOINTING JOSEPH F. LAKE, JR. TO THE POSITION OF WARREN COUNTY FIRE MARSHAL, UNCLASSIFIED, WITHIN THE WARREN COUNTY PUBLIC SAFETY DEPARTMENT.

BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren that, pursuant to N.J.S.A. 40A: 14-1, Joseph F. Lake, Jr., is hereby appointed to the position of Warren County Fire Marshal, unclassified, within the Warren County Public Safety Department; and

BE IT FURTHER RESOLVED that this appointment be made effective January 15, 2002 through January 14, 2005 and that the initial annual salary be established at \$10,000.

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Mr. DeBosh stated why was there no discussion relating to this position? Mr. DiMaio responded that the individual's prior experience speaks for itself and the Department head made the recommendation to the Board. Mr. DeBosh explained he has nothing against Mr. Lake, he just didn't know until the agenda packet was sent to him.

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.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 39-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held January 9, 2002.

RESOLUTION CREATING A FULL-TIME POSITION OF SECRETARY, UNCLASSIFIED, AND ABOLISHING A FULL-TIME POSITION OF SECRETARY TO DEPARTMENT HEAD, UNCLASSIFIED, IN THE WARREN COUNTY SHERIFF'S DEPARTMENT.

BE IT RESOLVED by the Warren County Board of Chosen Freeholders that a full-time position of secretary, unclassified, is created within the Warren County Sheriff s Department in compliance with N.J.S.A. 11A: 3-5(j); and

BE IT FURTHER RESOLVED that a full-time position of secretary to department head, unclassified, be abolished; and

NOW, THEREFORE BE IT RESOLVED that the newly created position of secretary be established at an annual salary of \$30,000 and be made retroactive to January 1,2002.

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.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

County Counsel Joseph J. Bell advised his information is relating to litigation to discuss and it has been reserved for executive session.

County Engineer David Hicks had no report.

County Planner David Dech asked the Board for direction relating to the Solid Waste Service Grant which would be used for the PCFA Hazardous waste collection program. He asked since there is \$97,000 available in 2002 without designation, would the Board entertain approval to use this grant to provide for a part-time Recycling Coordinator. Mr. DiMaio responded that he would support the position as long as the grant was awarded. Mr. DeBosh asked if the amount was more than last year? Mr. Dech advised last years grant award was \$70,000. Some discussion between Mr. Marvin and Mr. Dech continued relating to the PCFA Interlocal Service Agreement and the 2002 allocated budget. Mr. DiMaio stated that he is still comfortable with the part-time Recycling Coordinator position as long as the grant funds 100 %. Mr. Doherty agreed with Mr. DiMaio's suggestion.

County CFO Pete Houck had no comment.

County Administrator Steve Marvin submitted four hiring requests for Warren Acres which is a 24-hour institution department not subject to the current hiring freeze and all were approved

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Mr. Marvin answered concerns of Mayor Menegus' of White Twp. related to the PCFA landfill operations. He received a letter from the PCFA Exec. Director John Carlton explaining the sideslope was changed without any change to their permitted volume. Mr. Dech commented to the Board the change results in twice the capacity available now. Discussion continued about the 70% portion the State fills vs. the 30% portion Warren County is responsible for under recent Legislation to refinance Solid Waste facilities. Mr. DeBosh asked if someone would get a clarification on this. Mr. DiMaio advised the Board he was going to the PCFA meeting on Friday and will report back to the Board on his findings.

Mr. Marvin reaffirmed future Budget-meeting dates January 10, 2002, January 12, 2002 and the scheduled departments. He asked the Board whom they would like to speak with for the January 16, 2002 meeting. Mr. DiMaio asked who hasn't been heard? Mr. Marvin advised the Sheriff Dept., Surrogate Dept., County Clerk, Personnel Dept., Warren Acres, Payroll Dept. and Administration Dept and reminded the Board the deadline for the introduction is January 26, 2002. Mr. Doherty commented he would like to be able to meet with all if time allows. Mr. DiMaio and Mr. Doherty both agreed that they would like another meeting scheduled for January 19, 2002 to finalize the budget recommendation after meeting with all the departments.

Mr. Marvin reminded the Board the new Senate bill recently passed will effect the Salary and Wage portion of the Constitutional Officers. The change will increase the budget approximately \$42,000 and an additional estimate of 11% for benefits. Mr. DeBosh asked for the breakdowns. It was described that they were \$18,000 for the Sheriff, \$19,000 for the Surrogate, \$3,712 for the County Clerk.

Under Freeholder comments, Mr. DeBosh had no comment.

Mr. DiMaio asked who would be attending the Reliance Power Plant visit on Friday January 11, 2002. He received confirmation that John Coyle Former County Counsel, Mr. Doherty and new County Counsel Joseph J. Bell would be attending with him.

Mr. Doherty gave a formal welcome to County Counsel Joseph J. Bell, described his prior accomplishments as County Clerk for Morris, Seton Hall and N.Y.U. Graduate. He also said farewell to Express-Times reported Brian Waagner and wished him good luck with his new sales position.

Under closing public comments, John Tally. Warren County resident 22 years came before the Board to discuss any predisposition from the Board of Chosen Freeholders to consider cuts in Library programs offered. He shared his concerns would directly effect the Boy Scouts programs that he has served over the years. In closing he reminded the Board of G.W. and Laura Bush's stand to stomp out illiteracy, the importance of a Library Center as a resource to educate all people. The Warren County Library Commission is a reflection of their educational improvement to society and he thanked the Board for hearing his concerns.

Laura Opdyke, Oxford, NJ advised the Board of Chosen Freeholders her public school is under construction and because of this, there is no Library. The only resource for their children is the bookmobile. She shared other parent concerns with the Board that brought them all to the conclusion of the bookmobile being dropped. Mr. Marvin asked if the Oxford School plans on reopening their Library? She explained the blueprint of the renovation project has a library included however, they have been informed of construction delays.

Carol Cook, Blairstown, NJ asked what was the future of the Welfare Department if they

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abolished it. Mr. Doherty responded they are not planning on immediately abolishing the Welfare Department. Mr. DeBosh stated that the Board voted two to one to take action of the Alman report with he being the descending vote. Mr. Doherty described the report indicated duplicate management positions, the welfare cases have reduced but the staff has not reduced. After conversation between Mrs. Cook and Mr. Doherty she would be willing to pay higher taxes to maintain the current services, also if you are the liaison of the Welfare Board you have an obligation, duty as an elected official to attend meetings for better understanding. Mr. Doherty explained that he is active and right now they are only in the research stages. As an elected official he knows that there will be substantial State aid cuts and he will do his part to help offset the increase in the local taxes that may begin. He further stated that he was for small government and he feels Warren County is too big. Mrs. Cook told him she respects his opinion, but when services are denied we need to look at changing Legislation. Mr. DiMaio made a general comment that we all need to be more efficient to continue the services required in Warren County.

Fred Cook, Blairstown, NJ told the Board of Chosen Freeholders that he feels three cents under the 2001 budget doesn't make a big difference. He felt Mr. Shotwell presented a good case and why get people upset if you plan to fill the positions. Then he commented Warren Haven has Nurse position vacancies are you planning on increasing salaries. Mr. Marvin explained that Ms. Lyons; Director of Warren Haven is planning a Nurse retention program. However, current legislature prohibits Warren Haven from mandatory overtime. Mr. Cook stated the nurse starting salary was too low and would encourage the salary base to stimulate applications for the position. Both Mr. Doherty and Mr. DiMaio noted they would consider all suggestions. Mr. Cook concluded that privatizing Warren Haven is a concern of his and he is not in favor of it. Mr. Doherty thanked him for sharing his concerns with them.

Cindy Selwick, Greenwich Township, NJ told the Board she feels the Library subject needs to address current population growth in Greenwich and White Townships. She argued that the growth is stimulating tax revenues and the Library services are diminished because these three positions have not been filled.

Reggie Regrut, Phillipsburg, NJ asked for clarification that the county doesn't have a policy for executive session minutes. Mr. Doherty advised him the Board has asked County Counsel to formulate a policy that will address his concerns and promised Mr. Regrut the Board is taking the necessary steps to deliver this policy. Mr. Regrut also suggested that the Board change the executive session remain in the meeting room for proper tape recording and to ask the public to leave until concluded. He then brought up the Rice situation with Sal Simonetti. Mr. Bell explained to Mr. Regrut that Mr. Simonetti was not an employee at the time and a Rice notice was not required. Mr. DiMaio asked for point of order this is not "Rice Notice 101" for all of us tonight.

Mr. Doherty asked for other public comments.

Tom Pulpher, Liberty Township, NJ welcomed new County Counsel Joseph J. Bell and acknowledged his efforts to formulate a policy relating to public and executive minutes. He also suggested that the Board set a five (5) minute limit for each person during public comments. Mr. Doherty thanked him for his suggestions.

There were no press comments or questions.

RESOLUTION 40-02

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On motion by Mr. DeBosh, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held January 9, 2002.

RESOLUTION AUTHORIZING THE WARREN COUNTY BOARD OF CHOSEN FREEHOLDERS TO HOLD AN EXECUTIVE SESSION ON JANUARY 9, 2002. THE GENERAL NATURE OF THE SUBJECT TO BE DISCUSSED INCLUDES VARIOUS PERSONNEL MATTERS; LITIGATION; 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. Litigation.

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.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

Director called for a five-minute break at 9:30 p.m.

The Board went into executive session at 9:39 p.m.

The Board returned to open session at 10:49 p.m.

On motion by Mr. DiMaio, seconded by Mr. Doherty, authorizing County Counsel to take action as discussed on pending litigation.

ROLL CALL: Mr. DeBosh: no, Mr. DiMaio: yes, Mr. Doherty: yes

Nothing further discussed in Executive Session has lost its confidentiality

On motion by Mr. DiMaio, seconded by Mr. Doherty, and there being no further official business to come before the Board at this time, the meeting was adjourned at 10:50 p.m.

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

MINUTES
ATTESTED TO:

JANUARY 9, 2002

Tammy M. Lynn, Deputy Clerk