

MINUTES**FEBRUARY 13, 2002**

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 February 13, 2002, at 7:41 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. Also attending were County Engineer David Hicks, CFO Charles Houck, County Counsel Joseph J. Bell, County Administrator Steve Marvin and Deputy Clerk Tammy M. Lynn.

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 STAR/GAZETTE, THE EXPRESS-TIMES, STAR-LEDGER, BLAIRSTOWN PRESS, 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. DeBosh, seconded by Mr. DiMaio, the minutes of the budget hearing of the Board of Chosen Freeholders held January 5, 2002 were approved with one correction from Mr. DiMaio to remove the sentence about Constitutional Officer Salary.
ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the minutes of the regular meeting of the Board of Chosen Freeholders held January 9, 2002 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 executive session of the Board of Chosen Freeholders held January 9, 2002 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 budget hearing of the Board of Chosen Freeholders held January 10, 2002 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 budget hearing of the Board of Chosen Freeholders held January 12, 2002 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 budget hearing of the Board of Chosen Freeholders held January 16, 2002 were approved as presented.
ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

The Board met at 7:45 p.m. with Chris Guida, Executive Director to discuss the Pequest River Municipal Utilities Authority, relating to their request for a revised Bond/Note issuance. He introduced the individuals that were assisting him. Mr. Steve Donati of the Cerenzio & Panaro

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Engineering firm gave a history of P.R.M.U.A. and why they needed to come before the Board for approval of the Bond. The State is requiring upgrades, which were a result of a recent inspection of their facility. The Pequest River Utilities Municipal Authority is not allowed to discharge chlorine produced oxygen back into the natural waterways. They are being required to clean the water with an ultra-violet light procedure now. Also their equipment is over 20 years old. He presented a graph of the current facility for both locations. He explained their plan for renovation would be to install the three new reactor unit for the ultra-violet light processing and modify the holding tanks. It is imperative that the Board approve this change as the State has set a short timeframe to have it completed by April 1, 2003. He explained the bonding process and time lines. Mr. DeBosh had no questions, Mr. DiMaio had no questions, Mr. Doherty stated that he understands you are going out for a 4.3 million bond debt and asked if they have funds to cover this request. Mr. Donati confirmed that they have projected with the additional rates charged that over the life of the bond and receipt of the State Trust funds reimbursement they are confident they will be able to cover the whole debt.

Mr. Doherty offered the public to ask questions relating to agenda item E5, there were none. He thanked the representatives of P.R.M.U.A. for explaining in detail the reasons behind their request.

The Board began interviews for 2002 Warren County Bond Counsels Mr. John Draikiwicz of Gibbons, Del Deo, Dolan, Griffinger & Vecchione firm was heard first. He gave a brief history of his financial experiences and services noting he has been with this firm since 1991. His firm prides itself on excellent service to their client and noted the NJ Health Care Commission selected them out of 40 applicants submitted. They have been the Bond Counsel for Warren County in the past and would like to continue that service in 2002. He explained the firm is large enough to provide a variety of specialized support in the matters of environmental and litigation. Mr. DeBosh had no questions. Mr. DiMaio asked him to explain their compensation procedures. Mr. Draikiwicz explained that they utilize a transaction basis, which is a percentage of the bond processed. However, on occasion they charge an hourly rate for specialized services like the recent Warren County Community College issues.

Mr. Doherty asked what the size of his firm was. Mr. Draikiwicz explained he has three staff along with himself. His firm however, has provided in the past special services to the County due to their other specialized attorneys. Mr. Doherty asked about their fees in comparison to other Bond Counsels. Mr. Draikiwicz explained they set a fee for each bond processed which is the same with other counsels. On occasion when special services are needed they use the hourly rate. He shared an experience from the past where they were hired to replace a Bond Counsel and it was found that the prior counsel had presented double billing or charged a whole hour rate when the work amounted to only 15 minutes. His firm tracks their time and only charges for the whole hour and sometimes feel that a simple five minute call is not subject to a fee. That is how they are able to build relationships with their clients. Mr. Doherty thanked him for coming and explaining his services to the Board.

The Board then met at 8:20 p.m. with John Scally, Jr. of McCarter and English Bond Counsel firm. Mr. Scally explained he is a partner of the firm and has been involved within County since 1976 and was the Warren County Bond Counsel in 1982. His firm is the largest and oldest in New Jersey. He described the staff at the firm and their prior experiences bring many advantages to what they can provide for Warren County. One individual was an IRS Auditor and can provide the tax expertise needed with Bond issuance. He told the Board that his firms record with the County stands by itself. He would review all the work performed by his staff to confirm the same service continued as it did in years past.

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Mr. DeBosh had no questions, Mr. DiMaio had no questions. Mr. Doherty asked to confirm the number of staff that would serve the Board. Mr. Scally explained it would be 9 and he noted that the two other individuals interviewed tonight were originally employed with his firm. He further stated that he believes his firm is the best in the State and that the Board will get the hardest working staff support that they will ever see. Mr. Doherty thanked him for his presentation.

The Board entertained public comments on agenda items at 8:25 p.m. Laura Opdyke, Oxford, NJ asked why is the County vacating roads described under E8. Mr. Hicks explained this was an issue to correct old clerical records, the land use has not changed.

Mrs. Opdyke asked about item E9 the private well testing position. In prior budget hearings it was mentioned to remove one of the inspectors from the Public Health Department. Mr. Doherty responded that after review with Mr. John Hawk it was concluded that the inspector position would be removed and the remaining would utilize their workday more proficiently. Mrs. Opdyke explained that she felt that with this position and the terrorism concerns the Public Health Department would need additional inspectors. Mr. Doherty stated that we recognize the Governor is cutting the State Budget, which may create additional taxes to the county property owners. Our philosophy for this year's budget is to do our part in providing tax relief to the Warren County property owners.

Mrs. Opdyke asked about agenda item E11 providing housing for Hunterdon County's juvenile offenders at Warren Acres. Mr. Doherty explained this is a long standing agreement we have had with Hunterdon County and it allows us revenue. Mr. DeBosh noted this agenda item is relating to a renewal agreement. Mr. DiMaio explained to her that this agreement with Hunterdon County will guarantee that there will be beds available and Hunterdon County pays a fee regularly whether the beds are filled or not.

Mrs. Opdyke asked about item E13 the fee for inmates and she wanted to know who pays this. Mr. Marvin confirmed this is paid by the inmate.

Mrs. Opdyke questioned item H1, stated that it was her understanding that the PHNA staff will be reduced per prior budget hearings. Mr. Doherty stated that after looking at the PHNA funding revenue and their improvement billing procedures this department will not be cut as originally anticipated. Mr. DeBosh explained to her that these are renewal contracts. The PHNA has preferred to staff their department in this manner instead of adding additional costs from the county Salary and Wage segment.

Mrs. Opdyke continued with items H6 and asked why lease a farm. Mr. DeBosh explained that the county owns the land and this is a way to receive revenue. Mr. Marvin further noted that this was not purchased with Open Space Trust Funds.

Mrs. Opdyke asked about item H11, why are we contracting with a Pharmacy based in Pompton Plains, NJ when there are so many Pharmacies located in Warren County. Mr. DeBosh stated he thinks this Pharmacy offers the lowest price. Mr. Doherty further explained that this was a professional service agreement that does not require bidding. He asked Chris Pessolano, Purchasing Director to explain too. Mr. Pessolano explained that the Pharmacy is situated in Hackettstown, NJ, but recently moved their billing records to their main office in Pompton Plains, NJ. He further explained that bids had gone out for this professional service and this Pharmacy had the best price every time. Mr. Byron Foster, Warden of the Correctional Facility explained that this Pharmacy is the only one that responded to their bids in the past and they have developed a new procedure to control prescriptions on an inmate need v. sending meds that would expire before they

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could be used.

Mrs. Opdyke thanked the Board for explaining all the items she had concerns about.

Susan Mowrey, Buttzville, NJ commented on H11 the Pharmacy agenda item relating to services this Pharmacy provides for Warren Haven residents. She told the Board that while prescriptions are needed, this Pharmacy recognizes that the Warren Haven requests change from week to week. They send only the prescriptions that are needed for one week instead of a 30 days supply. That helps keep costs down when processing Medicare billing.

Paul Mercatanti, AFSCME Union 671 Rep. asked for clarity on items J1-5 Personnel. Mr. Marvin explained J1 is currently vacant, J2 are currently vacant, J3 was to cover for one week after the position was vacated by retirement, J4 this position was just recently vacated due to retirement and J5 is a temporary provision to staff the Sheriff's Department.

Robert Shandor, 69 Fox Farm Road, Lopatcong Township shared his concerns about item H6. He explained that this farmer is not a local and his vertical corn planting is not in compliance with the Warren County Soil Conservation procedures. Also the procedures require no planting within 100 feet of a natural stream. He explained because of his type of planting erosion has occurred from the field and the stream is blocked. He suggested to the Board the funds paid for use of this land is not warranted if this farmer will not comply. Mr. Marvin asked what would happen if there was no farming on this land. Mr. Shandor advised the weeds would cover the ground taking care of the soil conservation concerns and there would be hardly any cost to maintain. Mr. Marvin suggested that this item be removed until further confirmation that the soil conservation procedures can be concluded with the lessee.

Harold Warne, Washington, NJ told the Board that J5 doesn't fit according to the newspaper reports that this department is receiving \$18,500 additional funding in the 2002 budget proposal. Why continue to increase this department? Mr. Doherty explained that those positions noted in the paper were funded in both budget years. However, the former Sheriff eliminated some of the positions, which created a change in the departments' service. He further explained that Sheriff Simonetti has requested to restore these positions. Mr. DiMaio advised that it was his understanding that the prior Sheriff Department had some mismanagement concerns, which created a reduction of services. He is grateful that Sheriff Simonetti recognized this and is working on restoring the departments' services.

Mr. Doherty also mentioned to Mr. Warne that his newspaper letter stated that the Board was disrespectful. He disagreed with that and explained that the Board tries to be courteous to all citizens that come before them at public meetings. Mr. Warne responded that they didn't move the meeting when asked that night. He has a right to his opinions and that is what the newspaper letter included. Mr. Doherty explained that the location of a meeting cannot be changed without the proper advertising and if we were to make that change now the budget deadlines to the State would not be met.

Mr. DeBosh commented that the budget deadlines should not be priority. We had time to advertise. He feels the meeting should still be moved to a larger facility. The Board continued to discuss his suggestion and they concluded to move the meeting to the Court House room one. This would entail advertising to cancel the February 20, 2002 public hearing on the budget and to advertise the new date of March 6, 2002.

Catherine Wojtowicz, AFSCME Local 3287 President asked if J5 is going to include a

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replacement for the Park Ranger position. Mr. Doherty told her that he has had conversation with Sheriff Simonetti, he will handle the Park Ranger duties and responsibilities while not creating an additional position within his department. Mrs. Wojtowicz described what the Park Ranger did and she feels that the Sheriffs' Department will not be continuing the same quality work. Mr. Doherty responded that it was his understanding that parts of her concerns were true and that he will be discussing those concerns with the Sheriff.

Catherine Wojtowicz also asked about E4 and E9 saying she felt that these two items directly effect additional duties and responsibilities of the Health Department. She has concern there is more work and less staff to provide this added service to the county. Mr. Marvin advised that E4 will fund the Health Education position already in place and E9 is asking the State to fund what they are mandating the Health Department to provide.

Michele Samodio, WC Health Department Sanitation Inspector, told the Board that she has been notified that she may be laid off. She shared with the Board her experience relating to the Bio-Terrorism training she attended today. The trainer described to the group that they are not appreciated for the work that they do. She asked the Board if there is anticipated additional funding for the Well Testing Act, why are you suggesting to trim the lowest level position in her department. Mr. Doherty responded that the Well Test Act is a mandate from the State, we are proceeding to apply for the funds to offset the additional work expected by the department. He further explained to her that Governor McGreevey is making cuts at the State level and this is the Boards attempt to offset additional taxes. He advised her that the Board made suggestions to all the departments and wanted feedback before they made a final decision.

Mr. DeBosh noted that it is unclear how much the State cuts will effect the local taxpayers. He stated that he is willing to cut the county budget but the amount proposed right now is too much. He advised he would like to see the Sanitary Inspector, Park Ranger and other positions added back in. He believes the department heads have been prudent in maintaining their budgets.

Mr. Doherty stated that John Kraft was present and he would like to go back to the agenda for the last Bond Counsel interview, it was 9:15 p.m. Mr. Kraft gave the Board a brief resume of himself, 30 years Finance Attorney, began his career in New York City and was the only attorney able to meet the financial advisory needs for Municipalities in New Jersey. He explained the history of how the Bond Counsel evolved relating to local municipalities going into default on bonds. Mr. Doherty asked him to describe what he could offer. Mr. Kraft has been highly regarded throughout the industry for his wide knowledge of Bond issues and he regularly offers continued education classes to Financial Advisors, Accountants, Lawyers and Mayors. He shared with the Board that he believes that he is the only Attorney in New Jersey that offers these classes. He told them he is the founder of the American College of Bond Counsel and would be honored to be able to bring his attributes to Warren County. Mr. DeBosh had no questions, Mr. DiMaio had no questions, Mr. Doherty asked what skills would he bring to Warren County.

Mr. Kraft told him that he can bring more experience on varied issues, given his national reputation and services provided to other states. He described Orange County, California almost going bankrupt and how he was able to advise them through that process. He feels very strongly about communicating all liability exposures relating to county bond financing. He prides himself on remaining current with security laws, tax issues and that would be a valuable service to Warren County. Mr. Doherty thanked Mr. Kraft for his presentation. Mr. Kraft asked when would there be a decision. Mr. Doherty responded that they will know as early as possible so that it can be added for the February 20, 2002 agenda.

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The Board took a break at 9:35 p.m.

The Board returned to open session at 9:45 p.m.

RESOLUTION 84-02

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 February 13, 2002.

RESOLUTION TO PAY BILLS.

Be and it is hereby resolved that Master Voucher Certificate **For Certification/Ratification for Payment No.2002-6 dated February 13, 2002** In the amount of **\$ 4,217,512.44** including bills. and Investments, is approved subject to the review of the vouchers By the Board of Chosen Freeholders.

2002-4	\$ 639,597.56
2002-5	\$ 625,364.80
2002-6	\$ 632,710.00
Sub Total	\$ 1,897,672.36
Payroll 1/24/02	\$ 1,162,538.55
Payroll 2/7/02	\$ 1,157,301.53
Sub Total	\$ 2,319,840.08
GRAND TOTAL	\$ 4,217,512.44

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 85-02

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 February 13, 2002.

RESOLUTION IMPLEMENTING THE ESTABLISHMENT OF A DEDICATED BY RIDER TRUST FUND FOR THE WARREN COUNTY SHERIFF.

WHEREAS, NJSA 22A: 4-8 et. seq. as amended by Chapter 370 PL 2001 states that, the county treasurer shall deposit into a trust fund dedicated to the sheriffs office \$2.00 of each fee over the amount of \$3.00 received for a service enumerated in N.J.S.22A: 4-8. Monies in the trust fund shall be used to upgrade and modernize the services provided by their offices.

WHEREAS, the County of Warren wishes to establish a dedicated fund into which shall be deposited funds received from fees.

WHEREAS, N.J.S.A. 40A: 4-39 provides that the Director of the Division of Local Government Services may approve expenditure of these additional funds by dedication of rider;

WHEREAS, the Board of Chosen Freeholders of the County of Warren desires to establish a Trust Fund for the collection of said fees.

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren that the Chief Financial Officer is directed to request Division of Local Government Services approval and to establish a trust fund for the Warren County Sheriff in accordance with NJSA 22A: 4-8 et. seq.

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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 86-02

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 February 13, 2002.

RESOLUTION AUTHORIZING THE DIRECTOR OF THE BOARD TO EXECUTE A LETTER OF AGREEMENT WITH THE GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE IN THE AMOUNT OF \$150,785.48 TO SUPPORT THE COORDINATION OF THE MUNICIPAL ALLIANCE FOR THE PERIOD JANUARY 1, 2002 THROUGH DECEMBER 31, 2002.

WHEREAS, the NJ Governor's Council on Alcoholism and Drug Abuse has made funding available to Warren County for the coordination of the Municipal Alliance to Prevent Alcoholism and Drug Abuse in the total amount of \$150,785.48; and

WHEREAS, the funds are to be used as follows:

Alliance Coordination \$ 40,000.00

Municipal Alliance Programs \$110,785.48

NOW, THEREFORE BE IT RESOLVED that the Director of the Board of Chosen Freeholders be authorized to execute a Letter of Agreement with the Governor's Council on Alcoholism and Drug Abuse to support Municipal Alliance Coordination; Agreement ceiling not to exceed \$150,785.48 for the period January 1, 2002 through December 31, 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 87-02

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 February 13, 2002.

RESOLUTION IN SUPPORT OF THE FY'02 VENDOR AGREEMENT BETWEEN THE COUNTY OF WARREN AND THE NEW JERSEY DEPARTMENT OF HUMAN SERVICES, DIVISION OF YOUTH AND FAMILY SERVICES, FOR PARATRANSIT SERVICES TO BE PROVIDED THROUGH THE WARREN COUNTY TRANSPORTATION SYSTEM, AGREEMENT CEILING \$3,000.

BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren supports the submission of the FY'02 Vendor Agreement for anticipated funding through the New Jersey Department of Human Services, Division of Youth and Family Services (DYFS), for the period July 1, 2001 through June 30, 2002; paratransit services to be provided through the Warren County Transportation System; contract ceiling \$3,000.

BE IT FURTHER RESOLVED that the Director of the Board of Chosen Freeholders is authorized to sign the Vendor Agreement for \$3,000 anticipated funding through the New Jersey Department of Human Services; subject to availability.

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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 88-02

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 February 13, 2002.

RESOLUTION ACCEPTING NATIONAL ASSOCIATION OF COUNTIES DEFERRED COMPENSATION PROGRAM, THE DEFERRED COMPENSATION PLAN FOR PUBLIC EMPLOYEES, RESTATED PLAN DOCUMENT, NEW JERSEY VERSION.

WHEREAS, the County has established a Deferred Compensation Plan to be made available to all eligible County full-time employees, elected officials, and appointed officials pursuant to Section 457 of the Internal Revenue Code permitting such Plans; and

WHEREAS, On June 7, 2001, President George W. Bush signed the Economic Growth and Tax Relief Reconciliation Act of 2001 ("EGTRRA"). This new law contains significant reforms for deferred compensation plans established under Internal Revenue Code ("Code") § 457.

WHEREAS, Nationwide Retirement Solutions, Inc., has prepared a Restated Plan Document reflecting these substantive changes and incorporated the new provisions mandated or made possible by the new law.

NOW, THEREFORE, THE WARREN COUNTY BOARD OF CHOSEN FREEHOLDERS DOES HEREBY RESOLVE AS FOLLOWS:

1. The Board of Chosen Freeholders hereby accepts and adopts the attached
**NATIONAL ASSOCIATION OF COUNTIES DEFERRED COMPENSATION PROGRAM
 DEFERRED COMPENSATION PLAN FOR THE PUBLIC EMPLOYEES
 RESTATED PLAN DOCUMENT
 NEW JERSEY VERSION**
2. The Director of the Board of Chosen Freeholders of the County of Warren and the Clerk of the Board of Chosen Freeholders of the County of Warren are hereby authorized to execute same.

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 89-02

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 February 13, 2002.

**RESOLUTION AUTHORIZING THE HEALTH DEPARTMENT DIRECTOR TO APPLY FOR A TOBACCO CONTROL GRANT UP TO \$60,000 FROM THE NEW JERSEY DEPARTMENT OF HEALTH & SENIOR SERVICES (NJDHSS) FOR THE PERIOD
 MARCH 1, 2002 - FEBRUARY 28, 2003**

WHEREAS, the Surgeon General has concluded that tobacco addiction meets the primary criteria for "drug dependence" and that tobacco use is the single most preventable cause of premature death in the nation, and

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WHEREAS, the Warren County Board of Chosen Freeholders supports using the resources of the County Health Department to pursue changes in the social environment that discourage the use of tobacco, especially to minors, and to reduce environmental tobacco smoke, and

WHEREAS, the Warren County Board of Chosen Freeholders previously authorized a grant agreement and extension with the NJDHSS for Tobacco Settlement funds of \$41,782 to conduct tobacco control promotion activities from June 1, 2000 through February 28, 2002 and,

WHEREAS, additional State Tobacco Settlement funds of up to \$60,000 are available to Warren County for a project to increase local ordinances and/or policies pertaining to tobacco use, increase the number of smoke-free workplace policies, provide public education on environmental tobacco smoke and provide outreach to tobacco product merchants to assistance with compliance of state laws,

NOW, THEREFORE BE IT RESOLVED, that the Health Officer for the Warren County Health Department is authorized to make application to the NJDHSS for Tobacco Settlement Funding of up to \$60,000 for the period March 1, 2002 to February 28, 2003 to conduct said tobacco control promotion activities, and if awarded, to execute the grant agreement.

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 90-02

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 February 13, 2002.

RESOLUTION APPROVING THE ISSUANCE OF SHORT TERM NOTES AND WASTEWATER REVENUE BONDS OF THE WARREN COUNTY (PEQUEST RIVER) MUNICIPAL UTILITIES AUTHORITY.

WHEREAS, the (Warren County (Pequest River) Municipal Utilities Authority (the "Authority") and the County of Warren, New Jersey (the "County") have previously entered into the 1986 Service Contract, dated March 26, 1986 (the "Service Contract"); and

WHEREAS, Section 404 of the Service Contract requires the County, by resolution, to approve and consent to the issuance of bonds or notes of the Authority prior to the issuance of said notes or bonds of the Authority if such bonds or notes are to be secured by the Service Contract; and

WHEREAS, the Authority operates the Belvidere Wastewater Treatment Plant (the "Belvidere STP") located at Foul Rift Road, Belvidere (White Township), New Jersey, which treats certain sewage and discharges treated effluent into the Delaware River; and

WHEREAS, the New Jersey Department of Environmental Protection has adopted more stringent treatment requirements for the Belvidere STP in the facility's new discharge permit; and

WHEREAS, the Authority must comply with these new treatment requirements by April 1, 2003; and

WHEREAS, the Authority has evaluated several options for meeting these new requirements and developed a cost effective upgrade of the Belvidere STP utilizing "Upflow Sludge Blanket Filtration" technology (the "Project"); and

WHEREAS, the Authority has determined that the Project will cost approximately \$4,300,000 to design and construct, and desires to authorize an amount not to exceed \$5,000,000 to design, construct and finance the Project> including the funding of a Bond Reserve Fund, if required; and

WHEREAS, the Authority's Project has been incorporated into the 2002 Clean Water Project Priority List of the New Jersey Environmental Infrastructure Trust (the "Trust") meaning that

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the Authority will be eligible to issue Wastewater Revenue-Bonds, Series 2002 (the "Bonds") to the Trust to permanently finance the Project at below market rates of interest in November, 2002; and

WHEREAS, the Authority desires to initiate construction of the Project prior to November, 2002 to meet the April, 2003 deadline imposed by the New Jersey Department of Environmental Protection by issuing short term notes (the "Notes") to finance the Project on an interim basis; and

WHEREAS, to facilitate the marketability of the Notes and the ability to sell the Bonds to the Trust, the Authority desires to have the Service Contract secure both the Notes and the Bonds; and

WHEREAS, in accordance with Section 404 of the Service Contract, the Authority has requested the County to approve and consent to the financing of the Project on an interim basis through the issuance of the Notes and on a permanent basis by the issuance of the Bonds to the Trust.

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

Section 1. Pursuant to Section 404 of the Service Contract, the Board of Chosen Freeholders of the County of Warren hereby approves and consents to the issuance by the Authority of the Notes and the Bonds for the interim and permanent financing, respectively, of the Project.

Section 2. 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.

RESOLUTION 91-02

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 February 13, 2002.

RESOLUTION AUTHORIZING DIRECTOR OF THE BOARD TO EXECUTE AN APPLICATION TO THE STATE OF NEW JERSEY, THE COMMUNITY JUSTICE GRANT PROGRAM FOR THE WARREN COUNTY PROSECUTOR'S OFFICE IN THE AMOUNT OF \$78,086. FOR THE PERIOD OF DECEMBER 21, 2001, THROUGH DECEMBER 26, 2002.

BE IT RESOLVED BY THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF WARREN THAT THE DIRECTOR OF THE BOARD IS AUTHORIZED TO EXECUTE AN APPLICATION TO THE STATE OF NEW JERSEY, THE COMMUNITY JUSTICE GRANT PROGRAM FOR THE WARREN COUNTY PROSECUTOR'S OFFICE IN THE AMOUNT \$78,086. FOR THE PERIOD OF DECEMBER 27, 2001 THROUGH DECEMBER 26, 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 92-02

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 February 13, 2002.

NEW JERSEY COMMUNITY JUSTICE GRANT PROGRAM RESOLUTION OF PARTICIPATION, A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY IN THE COMMUNITY JUSTICE GRANT PROGRAM ADMINISTERED BY THE

MINUTES**FEBRUARY 13, 2002****DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY.**

WHEREAS, the WARREN County Prosecutor's Office wishes to apply for funding
 Implementing Agency

for a project under the Community Justice Grant Program, and

WHEREAS, the WARREN COUNTY BOARD OF CHOSEN FREEHOLDERS has
 Applicant's Governing Body.

reviewed the accompanying application and has approved said request, and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety
 and WARREN County Prosecutor's Office for the purpose described in the
 Implementing Agency

application;

THEREFORE, BE IT RESOLVED by the Warren County Board of Chosen Freeholders
 Applicant Governing Body

that

1) As a matter of public policy Warren County Prosecutor's Office wishes to participate
 Implementing Agency

to the fullest extent possible with the Department of Law and Public Safety"

2) The Attorney General will receive funds on behalf of the applicant.

3) The Division of Criminal Justice shall be responsible for the receipt and review of the applications
 for said funds.

4) The Division of Criminal Justice shall initiate allocations to each applicant as authorized.

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 93-02

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 February 13, 2002.

**RESOLUTION VACATING ANY AND ALL COUNTY INTERESTS IN A PORTION OF RIGHT-OF-
 WAY OF COUNTY ROUTE #623, BRASS CASTLE ROAD, THROUGH LOT 4, BLOCK 32,
 WHITE TOWNSHIP.**

WHEREAS, County Route #623, Brass Castle Road was reconstructed and realigned in
 1912; and

WHEREAS, the 1912 realignment resulted in a portion of old right-of-way not needed for
 current road purposes across Lot 4, Block 32 in White Township; and

WHEREAS, the current property owner, Geneva Schuster, has dedicated the necessary
 right- of-way for the purpose of the existing road alignment; and

WHEREAS, the Warren County Engineer's Office has determined that the old right-of-
 way serves no useful purpose, and recommends that the County of Warren vacate any and all
 interest that they may have in this area of land.

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

1. All of that portion of the old right-of-way of County Route #623, Brass Castle Road east of the existing 66 foot wide right-of-way extending from the easterly line of Lot 3, Block 32 to approximately station 26+91 as shown on a plan titled "Right-of-Way Vacation and Acquisition, Lands of Geneva Schuster" Exhibit "A" sheet no. 1 of 2, dated August 7, 2000, revised September 7, 2000 and October 3, 2000, prepared by the Warren County Engineering Department, is hereby vacated as a public road right-of-way.
2. February 13, 2002 at 7:30 P.M. in the Freeholder's Meeting Room, Wayne Dumont, Jr. Administration Building, 165 County Route #519 South, White Township, New Jersey, is hereby set as the time and place for final consideration of an action upon this resolution when and where all persons interested therein may appear and be given an opportunity to be heard.
3. Within three (3) days of the passage of this resolution on first reading, the Clerk of the Board of Chosen Freeholders shall cause said resolution to be advertised verbatim in a newspaper published and circulated within the limits of the County of Warren, which publication shall be inserted once a week for three (3) weeks consecutively before the date of the meeting for second reading thereof.
4. Upon second reading and passage by a vote of the majority of the Board of Chosen Freeholders of the County of Warren, the above mentioned right-of-way area shall be deemed to be vacated and abandoned and shall cease to be public road or highway and that title to the land which therefore was lying within the area of the sidelines or legal right-of-way of said roads or highways shall revert to and vest in the respective owners of the legal title thereto free and clear of any easement or right-of-way there over or thereupon in favor of the public.
5. Upon passage of this resolution on second reading, the Clerk of the Board of Chosen Freeholders shall forthwith file a certified copy of this resolution in the office of the Warren County Clerk who shall record and index the same in the Book of Records in said office.
6. This resolution is made in accordance with the provisions of N.J.S.A. 27:16-28b.

First Reading -January 23, 2002

Published three (3) times in the Star Ledger
 -January 26, 2002
 -February 2, 2002
 -February 9, 2002

Second Reading -February 13,2002

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 94-02

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 February 13, 2002.

RESOLUTION CONCERNING IMPLEMENTATION OF THE PRIVATE WELL TESTING ACT.

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WHEREAS, on March 23, 2001 the Acting Governor signed into law the Private Well Testing Act (P. L. 2001,c.040), a law mandating the testing of potable water supplied from private wells; and

WHEREAS, public health officials fully support the need to protect and assure the purity and safety of drinking water supplies drawn from private wells; and

WHEREAS, all failing water test results will, within 5 days, be forwarded from the NJDEP to the county health department or designated health officer for investigation and follow-up; and

WHEREAS, health officials will have a legal and ethical obligation to investigate fully the cause or causes behind observed failing test results, to assist affected residents with treatment guidance, to notify other nearby residences, and to delineate the scope of any possible groundwater contamination in the vicinity through area well testing; and

WHEREAS, these additional roles and responsibilities will place significant new staffing and laboratory costs (estimated at 3.3 million dollars) upon county health department and other designated health officers associated with follow-up and investigation of an estimated 3,000-6,000 well contamination reports; and

WHEREAS, the Warren County Health Department will incur an estimated annual cost of \$150,000 to provide the required services in Warren County; and

WHEREAS, only one million dollars of funding is provided (from the "Safe Drinking Water Fund") to implement the law and 90% of this will be retained by the NJDEP to cover their increased costs; and

WHEREAS, this failure to provide adequate funding to public health agencies amounts to a new unfunded state mandate violating the spirit if not the letter of Article VII, Paragraph 5 of the State Constitution;

THEREFORE, BE IT RESOLVED that the Warren County Board of Chosen Freeholders hereby calls upon the Governor and Legislature to provide the necessary funding to county and local health agencies to implement the Private Well Testing Act; and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the Governor and to the entire Warren County legislative delegation.

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 95-02

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 February 13, 2002.

RESOLUTION APPROVING THE APPLICATION FOR COUNTY 9-1-1 COORDINATOR FUNDING IN THE YEAR 2002 FOR THE AMOUNT OF \$25,000.00

WHEREAS, there are monies available in fiscal year 2002 budget with the New Jersey Office of Information Technology for County 9-1-1 Coordinator funding; and

WHEREAS, on August 21, 2000, Administrative Regulation, N.J.A.C. 17:24-6.2 was adopted to indicate the process of applying for annual County 9-1-1 Coordinator Funding; and

WHEREAS, as part of the state budget process for fiscal year 2002, the Office of Emergency Telecommunications Services (OETS), within the Office of Information Technology (OIT), has placed funding in a line item entitled "grants and aid to local municipalities: for the purpose of distributing these funds to all 21 counties in New Jersey; and

WHEREAS, it would be in the best interest of the County of Warren to apply for said monies,

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the

MINUTES**FEBRUARY 13, 2002**

County of Warren that the Director of the Board and the Clerk are hereby authorized to sign any and all documents in order to effectuate with the New Jersey Office of Information Technology 9-1-1 Coordinator funding in the amount of \$25,000.00 for the period of January 1, 2002 to December 31, 2002.

BE IT FURTHER RESOLVED, the Board of Chosen Freeholders of the County of Warren hereby directs the County 9-1-1 Coordinator to maintain 9-1-1 program funding expenditure documentation required by OETS for future year's requests and funds distribution.

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 96-02

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 February 13, 2002.

RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE COUNTY OF WARREN AND THE COUNTY OF HUNTERDON TO PROVIDE HOUSING FOR HUNTERDON COUNTY JUVENILES AT THE WARREN COUNTY JUVENILE DETENTION FACILITY.

BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren that the Freeholder Director and the County Administrator are hereby authorized to execute an agreement, copy attached, with the County of Hunterdon to provide housing of Hunterdon County Juveniles at the Warren County Juvenile Detention Facility; and

BE IT FURTHER RESOLVED that this agreement will be for a period of two years commencing on April 1, 2001 and will automatically renew for a period of one year unless either party gives written notice of intent to terminate the agreement no later than January 1st of each preceding contract year.

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 97-02

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 February 13, 2002.

A RESOLUTION OF THE WARREN COUNTY BOARD OF CHOSEN FREEHOLDERS AUTHORIZING THE RELEASE OF EXECUTIVE SESSION MINUTES.

WHEREAS, it is appropriate for the Warren County Board of Chosen Freeholders to establish a procedure for the review and release of minutes of meetings of the Warren County Board of Chosen Freeholders which have not been open to the public in accordance with the Open Public Meetings Act,

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

I. There shall be a minutes review committee (MRC) consisting of members of the Warren County Board of Chosen Freeholders, the Deputy Clerk and the County Counsel, whose job shall be to periodically review the minutes of closed sessions of the Warren County Board of Chosen Freeholders and make recommendations to the Deputy Clerk as to which minutes should be made public. The MRC shall have no power and shall not be a "public body" within the meaning of the Open Public Meetings Act.

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2. The MRC shall meet on an as-needed basis, but at least annually. Meetings of the MRC shall be as scheduled at the convenience of the MRC members by the Deputy Clerk of the Board of Chosen Freeholders.

3. Prior to each meeting of the MRC, the Deputy Clerk shall prepare a list of all closed session minutes that have not been made public. The list and the minutes listed shall be made available to the MRC at their meetings.

4. Recommendations to make minutes public shall be on a case-by-case basis, taking into consideration both the interest in maintaining confidentiality set forth in N.J.S.A. 10:4-12 and the interest in prompt disclosure set forth in N.J.S.A. 10:4-14. The applicable guidelines set forth in paragraph 7 of this resolution may be considered as a general standard.

5. The decision to make public the minutes of any closed session shall be made only by the Deputy Clerk, and shall be based on a finding that public disclosure of the matters discussed at such closed session will not be detrimental to the public interest. In making this finding, the public body shall take into consideration, but need not agree with, the recommendation of the MRC and the basis for the recommendation as set forth in paragraph 4 above. In cases where more than one matter was discussed in closed session, the public body may elect to make public only the minutes pertaining to certain of those matters, and to keep the rest of the minutes confidential. Should the minutes contain any material entitled to protection, the public body shall excise the protected matter, provided, that all materials required by law to be contained in the minutes shall be set forth.

6. Minutes which are made public shall not thereafter be treated as confidential, but may be seen and copied by any person in the same manner as minutes of open meetings.

7. Guidelines. The following general guidelines pertaining to the purposes for closed meetings set forth in N.J.S.A. 10:4-12. may be considered in recommending and deciding when to make public minutes of closed sessions:

- a. Matters required by law to be confidential. When the need to preserve the secrecy of the confidential information discussed no longer exists; provided, that material entitled to court protection shall not be disclosed.
- b. Matters effecting the right to receive federal funds. When disclosure would no longer impair the right to receive funds or cause funds already received to be forfeited.
- c. Matters involving individual privacy. Such matters shall not be disclosed except as ordered by a court of competent jurisdiction, or with the written consent of all of the individual (s) concerned.
- d. Matters relating to collective bargaining agreements. When the collective bargaining agreement has been made and ratified.
- e. Certain matters involving public funds. After the transaction involving the public funds has been made.
- f. Matters affecting public safety and property. When disclosure would no longer impair the safety and property of the public or the conduct of any investigation.
- g. Litigation, contract negotiation and certain privileged matters. As to litigation, when a final decision has been rendered and all rights of appeal are exhausted; as to anticipated litigation, when the statute of limitations has expired as to all such claims or a binding settlement precluding litigation has been made; as to contract negotiation, when either the contract has been made and is binding on all parties or it not made, when negotiation is terminated; as to matters falling within the attorney-client privilege, at such time, if ever, that disclosure would not violate the attorney's ethical duties.
- h. Employment matters. When the employment decision has been made and all rights to litigate or appeal are exhausted; provided, that material entitled to court protection shall not be disclosed.
- i. Deliberations after hearing in penalty matters. After the decision to impose or not impose the penalty has been made and all rights to litigate or appeal are exhausted; provided, that material entitled to court protection shall not be disclosed.

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Be It Further Resolved, that copies of this Resolution shall be provided to the County Administrator, the Deputy Clerk and the County Counsel for their information and attention.

Mr. Doherty commented that this agenda item presented tonight is a direct response to the citizens concerns relating to Executive Session records being released. On behalf of the Board he thanked Mr. Bell for review and final draft presentation.

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 98-02

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 February 13, 2002.

RESOLUTION AUTHORIZING THE CREATION AND IMPLEMENTATION OF A PROCESSING FEE FOR INMATES IN THE AMOUNT OF \$50.00 PER INMATE FOR EACH ADMISSION TO THE WARREN COUNTY CORRECTIONAL CENTER AND RESCINDING THE RESOLUTION OF DECEMBER 19, 2001 ESTABLISHING AN INMATE USER FEE.

WHEREAS, The taxpayers of Warren County are compelled to bear the increasing expense associated with the incarceration of persons at the Warren County Correctional Facility; and

WHEREAS the Warren County Board of Chosen Freeholders are committed to the concept of assessing, where appropriate and feasible, fees associated with incarceration of persons in the Warren County Correctional Center against those persons as and for a method to defray the considerable costs of incarceration, and

WHEREAS the inmates held at the Warren County Correctional Center represent a small percentage of the population of Warren County who cause the County to incur these substantial costs of incarceration, and

WHEREAS an amount of Fifty Dollars (\$50.00) is deemed a reasonable assessment in the form of a Processing Fee at the time of admission to the Correctional Center, to defray the costs to Warren County for intake services;

NOW THEREFORE BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren that the Warden of the Warren County Correctional Center shall establish by policy a processing fee of Fifty Dollars (\$50.00) to be assessed at the time of admission for each inmate and debited to the inmates account at the Correctional Center which amount will be satisfied prior to use of the inmate's funds for any other purpose, and

BE IT FURTHER RESOLVED that any inability to pay the Processing Fee hereby authorized to be assessed shall in no manner be considered by the Warren County Correctional Center with- regard to determining whether to provide or allow access to any and all services at the facility and shall not be considered a condition of release from the facility; and

BE IT FURTHER RESOLVED that no provision of this resolution shall be deemed to affect the obligation of the Warden to accept, regardless of the ability to pay the processing fee, all individuals legally remanded to his custody; and

BE IT FURTHER RESOLVED by the Warren County Board of Chosen Freeholders that the Inmate User Fee established by Resolution of that Board of Chosen Freeholders on December 19, 2001 be rescinded and the above described Processing Fee be implemented, forthwith, in its stead.

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 99-02

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 February 13, 2002.

RESOLUTION ESTABLISHING A 4 TON WEIGHT LIMIT ON COUNTY BRIDGE #23006 ON WHITE ROAD OVER TRIBUTARY TO BUCKHORN CREEK, WHITE TOWNSHIP.

WHEREAS, the County Engineer has reported to the Warren County Board of Chosen Freeholders of structural deterioration of Bridge #23006, on White Road over tributary to Buckhorn Creek, White Township, and

WHEREAS, the County Engineer recommends this structure be posted for a 4-ton weight limit.

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders that the above weight limit is hereby approved.

BE IT FURTHER RESOLVED by the Board of Chosen Freeholders that proper notification shall be placed on said bridge advising the general public and all others that said bridge is restricted to all vehicles exceeding the prescribed limits.

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

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

Tammy M. Lynn Deputy Clerk

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

RESOLUTION 100-02

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 February 13, 2002.

RESOLUTION TO AUTHORIZE THE FREEHOLDER DIRECTOR TO EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY HISTORIC TRUST IN THE AMOUNT OF \$30,000 FOR THE PREPARATION OF A HISTORIC PRESERVATION PLAN FOR MORRIS CANAL LOCK 7 WEST (BREAD LOCK PARK).

WHEREAS, the governing body of the County of Warren Board of Chosen Freeholders desires to further historic preservation through a grant from the New Jersey Historic Trust, State of New Jersey, in the amount of \$30,000 for the following project: professional historic architectural, archaeological, engineering and historic preservation planning services in preparation of a preservation plan for Morris Canal Lock 7 West (Bread Lock Park), Franklin Township, Warren County, New Jersey;

NOW, THEREFORE, BE IT RESOLVED that the Director of the Board of Chosen Freeholders be authorized and directed to execute a grant agreement with the State in an amount up to that awarded for the proposed project, and to seal the grant agreement.

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 101-02

On motion by Mr. DeBosh, seconded by Mr. DiMaio, the following resolution was

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adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held February 13, 2002.

RESOLUTION APPROVING CHANGE ORDER #1 FOR CONTRACT #WC0112 WITH OWL CONTRACTING FOR THE RECONSTRUCTION OF COUNTY ROUTE #614, INDEPENDENCE TOWNSHIP FOR A NET DECREASE OF \$3,650.49 AND A FINAL CONTRACT AMOUNT OF \$762,114.51.

WHEREAS, Contract #WCO112 was awarded to Owl Contracting for the Reconstruction of County Route #614, Independence Township in the amount of \$765,765.00; and

WHEREAS, final as-built quantities resulted in a net decrease of \$3,650.49; and

WHEREAS, said changes were recommended by the County Engineer.

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 with Owl Contracting for a net decrease of \$3,650.49 and a final contract amount of \$762,114.51.

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 102-02

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 February 13, 2002.

RESOLUTION APPROVING THE PURCHASE OF RIGHT-OF-WAY AT THE INTERSECTION OF COUNTY ROUTE #519 AND COUNTY ROUTE #623, WHITE TOWNSHIP.

WHEREAS, proposed road work and signalization at the intersection of County Route #519 and County Route #623 in White Township will require additional right-of-way for the proposed improvements; and

WHEREAS, an equitable cost for acquiring the parcels was negotiated by the Office of the County Engineer; and

WHEREAS, the property owners are agreeable to the purchase price through discussions with the County Engineer's Office; and

WHEREAS, the right-of-way areas, owners and negotiated prices are as follows:

1. Right-of-way of 0.009 acres being part of Block 18, Lot 22, owned by the Oxford First Presbyterian Church, for the negotiated price of \$700.00.
2. Right-of-way of 0.027 acres being part of Block 31, Lot 15, owned by the Bilyk Family Partnership for the negotiated price of \$900.00.

WHEREAS, adequate funds are available in account 40165 5100 184 4834 and certified by the County's Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren does hereby approve the purchase of the needed right-of-way for the negotiated prices.

BE IT FURTHER RESOLVED, that the County Engineer is authorized to have the deeds executed for the purchase of the properties.

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 103-02

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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 February 13, 2002.

RESOLUTION AUTHORIZING DIRECTOR OF BOARD TO EXECUTE AGREEMENTS FOR PROFESSIONAL SERVICES FOR VARIOUS HOME HEALTH SERVICES TO BE PROVIDED THROUGH THE WARREN COUNTY PUBLIC HEALTH NURSING AGENCY FOR THE PERIOD JANUARY 1, 2002 THROUGH DECEMBER 31, 2002.

WHEREAS, there exists a need for the professional services of physical therapy, speech therapy, occupational therapy, medical social work, consultant nutritional services through the Warren County Public Health Nursing Agency for the period January 1, 2002 through December 31, 2002; 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;

WHEREAS, adequate funds are available in Account #19330- 5711, entitled Medical Social Work, Account #19330-5712 entitled Occupational Therapy, Account #19330-5713 entitled Physical Therapy, Account #19330-5714 entitled Speech Therapy and Account #19330-5715 entitled Registered Dietitian, certified by Warren County Treasurer.

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 the attached professional service agreements as follows:

1. Registered Physical Therapy at \$55.00 per visit for the following Physical Therapists: Eva Bellfy, Susan Bisio, Marianne Derk, Pamela Hutchison, Mary Kovacs, John McCrae, Susan Rusak, Victoria Skirbst, Nancy Smith, Steven Tierney and Tonya Tipton

2. Occupational Therapy at \$55.00 per visit for the following Occupational Therapists: Odette Hanni, Linda Mich, and Rose Wovna.

3. Speech Therapy at \$55.00 per visit for the following Speech Therapists: Colleen Makarevich, Lynnette Muni-Thompson and Margaret Normile.

4. Medical Social Work at \$100.00 per visit for the following Medical Social Workers: Elena Dunn and Marilou Tshudy.

5. Registered Dietitian at \$55.00 per visit for Jeri-Lynn Flynn.

BE IT FURTHER RESOLVED that notice of this action shall be published in The Star-Gazette as required by law within 10 days of 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 abstain, Mr. DiMaio yes, Mr. Doherty yes.

RESOLUTION 104-02

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 February 13, 2002.

RESOLUTION APPROVING THE AGREEMENT FOR ENGINEERING SERVICES FOR THE INSPECTION OF ROAD IMPROVEMENTS WITHIN THE RIGHT-OF-WAY OF COUNTY ROUTE #638*, GREENWICH TOWNSHIP, WITH FINELLI CONSULTING ENGINEERS, P.A. (TOWNSHIP

MINUTES**FEBRUARY 13, 2002****ENGINEER), OF WASHINGTON, NJ, CONTRACT #WC0209P.**

WHEREAS, there exists a need for the professional services of an Engineer for the inspection of the road improvements within the right-of-way of County Route #638, Greenwich 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, costs for the inspection will be billed to the township escrow account posted by the developer.

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 Finelli Consulting Engineers, P. C. (Township Engineer) of Washington, New Jersey, for professional services for the inspection of the above project 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.

Mr. Hicks County Engineer advised the Board the Route number should be 658 not 638 as presented. The Board acknowledged his correction before they took roll call.

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 Abstain, Mr. DiMaio yes, Mr. Doherty yes.

RESOLUTION 105-02

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 February 13, 2002.

**RESOLUTION AUTHORIZING DIRECTOR OF THE BOARD TO EXECUTE A
PROFESSIONAL SERVICE AGREEMENT FOR CERTAIN FINANCIAL ADVISORY SERVICES
FOR THE COUNTY OF WARREN, NEW JERSEY, WITH VALCO CAPITAL LTD., SEWELL,
NEW JERSEY.**

WHEREAS, there exists a need for specialized financial consulting services in connection with the authorization and the issuance of bonds and notes by the County of Warren (the "County"), a body corporate of the State of New Jersey, including the preparation of a comprehensive plan to finance the County's multi-year capital improvement needs, negotiating ratings, terms and approvals with the financial community and the preparation of financial documents acceptable to the financial community; and

WHEREAS, such financial advisory services can be provided by a recognized financial consultant, and the firm of VALCO Capital Ltd., Sewell, New Jersey, is so recognized by the financial community; and

WHEREAS, funds are appropriated for this purpose in account 04008703- 5060 and/or will be appropriated by ordinance(s) approved throughout 2002,

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the

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County of Warren, New Jersey, as follows:

1. The financial consulting firm of VALCO Capital Ltd. Sewell, New Jersey, is hereby retained for the period January 1, 2002 through December 31, -2002, to provide financial advisory and professional services in connection with the financing of the County's Capital Improvement and Open Space, Recreation Farmland and Historic Preservation Programs, in accordance with the proposal dated January 29, 2002 and submitted to the County.

2. The Contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A: 11-5(1) (a) (i), because it is for services performed by persons authorized by law to practice a recognized profession.

3. The Director is hereby authorized to execute said agreement.

4. A copy of this resolution as well as the Contract shall be placed on file with the Clerk of the Board of Chosen Freeholders.

5. Notice of this action shall be published in THE STAR GAZETTE as required by law within ten (10) days or 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 106-02

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 February 13, 2002.

RESOLUTION RE: EXTENSION OF CONTRACT WC2004 FOR THE LEASE OF COUNTY PROPERTY (LANDFILL PROPERTY) FOR THE THIRD AND FINAL YEAR OF A THREE YEAR CONTRACT FOR THE PERIOD OF APRIL 1, 2002 THROUGH MARCH 31, 2003 WITH DONALD W. SMITH FOR ANNUAL RENT IN THE AMOUNT OF \$1,121.64.

BE IT RESOLVED, that Contract WC2004 for lease of county property for agricultural purposes in White Township, Landfill property identified as Block 32, Lot 18 approximately 43.14 acres is hereby awarded for the third and final year of a three-year contract

to. Donald W. Smith, Belvidere, New Jersey

annual rent of \$26.00 per acre for a total amount of \$1,121.64

as per his bid submitted February 14, 2000

and reviewed and recommended by the Director of Purchasing as the highest responsible and responsive bid received.

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.

RESOLUTION 107-02

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 February 13, 2002.

RESOLUTION RE: EXTENSION OF CONTRACT WC2009 FOR ELEVATOR MAINTENANCE TO

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THYSSEN DOVER ELEVATOR FOR THE THIRD AND FINAL YEAR OF A THREE YEAR CONTRACT AS PROVIDED BY THE LOCAL PUBLIC CONTRACT LAW 40A: 11-15 (7) FOR THE PERIOD OF APRIL 1, 2002 THROUGH MARCH 31, 2003 IN THE AMOUNT OF \$16,620.00 PER YEAR.

WHEREAS, Warren County Contract WC2009 for elevator maintenance included the right to extend the contract as provided by the Local Public Contract Law 40A: 11-15(7) said contract is hereby extended for the third and final year

To.Thyssen Dover Elevator, Cranford, New Jersey

in the amount of.\$16,620.00

as per their bid submitted.March 6, 2000

Funding for this contract has been provided in budget accounts 013100/5029 Building & Grounds Contracted Services, 013112/5029 Building & Grounds Annex Contracted Services, 013504/5029- Warren Haven Maintenance 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.

The resolution entitled **“RESOLUTION RE: EXTENSION OF CONTRACT WC2003 FOR THE LEASE OF COUNTY PROPERTY (HAMLEN FARM) FOR THE THIRD AND FINAL YEAR OF A THREE YEAR CONTRACT FOR THE PERIOD OF APRIL 1, 2002 THROUGH MARCH 31, 2003 WITH BAUKE TJALMA FOR ANNUAL RENT IN THE AMOUNT OF \$1,855.25** there was lack of a motion due to the discussion during public comments on agenda items. It was agreed to table until the Board received written confirmation this farmer would comply with the soil conservation regulations.

RESOLUTION 108-02

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 February 13, 2002.

RESOLUTION RE: AWARD OF CONTRACT TO THOMAS L. YAGER & ASSOCIATES OF CLINTON, NEW JERSEY, FOR SURVEYING SERVICES ON THE PETER JOSEPH PROPERTY, AS LISTED IN THE PROPOSAL, IN THE TOTAL AMOUNT OF \$9,424.00

WHEREAS, THE Warren County Agricultural Board has developed a list of Farms for preservation for the year 2002; and

WHEREAS, Warren County is interested in obtaining a survey on the Peter Joseph Farm property as listed in the proposal; and

WHEREAS, land surveys are required by the State Agricultural Committee prior to negotiations for acquisitions in order to be eligible to receive Cost Share Funding for Farm Easement Purpose; and

WHEREAS, said survey will be in accordance with the Agriculture Retention Program Survey Handbook, and the Uniform Standard of Professional Surveyor's Practice;

WHEREAS, adequate funds' are available in account 03895 5067 895099 5067 - Open Space Trust -Preliminary Expenses

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

1. The agreement between the County of Warren and Thomas L. Yager & Associates, in

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- the amount of \$9,424.00 to prepare a survey on the Peter Joseph Property be accepted.
2. The Freeholder Director is hereby authorized to execute said agreement.
 3. Notice of this action shall be published in THE ST AR-GAZETTE, as required by law, within ten (10) days of 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 109-02

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 February 13, 2002.

RESOLUTION RE: AWARD CONTRACT TO WAYNE R. JARVIS LAND SURVEYOR OF GREAT MEADOWS, NEW JERSEY, FOR SURVEYING SERVICES ON VARIOUS FARMS THROUGHOUT WARREN COUNTY, PROPOSED FOR ACQUISITION, AS LISTED IN THE PROPOSAL, IN THE TOTAL AMOUNT OF \$89,525.00

WHEREAS, THE Warren County Agricultural Board has developed a list of Farms for preservation for the year 2002; and

WHEREAS, Warren County is interested in obtaining surveys on various farm properties throughout the County as listed in the proposal; and

WHEREAS, land surveys are required by the State Agricultural Committee prior to negotiations for acquisitions in order to be eligible to receive Cost Share Funding for Farm Easement Purpose; and

WHEREAS, said survey will be in accordance with the Agriculture Retention Program Survey Handbook, and the Uniform Standard of Professional Surveyor's Practice;

WHEREAS, adequate funds are available in account 03895 5067 895099 5067 - Open Space Trust -Preliminary Expenses

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

1. The agreement between the County of Warren and Wayne R. Jarvis Land Surveyor, in the amount of \$89,525.00 to prepare surveys on various farms throughout the County be accepted.
2. The Freeholder Director is hereby authorized to execute said agreement.
3. Notice of this action shall be published in THE STAR-GAZETTE, as required by law, within ten (10) days of adoption.

Mr. DiMaio asked if this was a result of Open Space Trust Funding and has there been an agreement of purchase. Mr. Dech responded that this is part of the Farmland Preservation programs and it is required to survey the land to confirm boundaries before it is purchased. Mr. DeBosh acknowledged that he understands that a price to purchase has been reached and the survey is the next part of the process before the final sale. Mr. DiMaio asked Mr. Houck where the county was financially for the land purchases. Mr. Houck explained that the county might have to wait for arrival of some state reimbursement funds. Mr. DiMaio suggested that in the future we do not pursue Farmland acquisition until we have the funds in place.

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.

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RESOLUTION 110-02

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 February 13, 2002.

RESOLUTION RE: AWARD OF CONTRACT TO ROBERT F. HEFFERNAN OF OLDWICK, NEW JERSEY, FOR APPRAISAL SERVICES ON THE PETER JOSEPH PROPERTY, AS LISTED IN THE PROPOSAL, IN THE TOTAL AMOUNT OF \$2,800.00

WHEREAS, THE Warren County Agricultural Board has developed a list of Farms for preservation for the year 2002; and

WHEREAS, Warren County is interested in obtaining an appraisal on the Peter Joseph Farm property as listed in the proposal; and

WHEREAS, land appraisals are required by the State Agricultural Committee prior to negotiations for acquisitions in order to be eligible to receive Cost Share Funding for Farm Easement Purpose; and

WHEREAS, said appraisals will be in accordance with the Agriculture Retention Program Appraisal Handbook, and the Uniform Standard of Professional Appraisal Practice;

WHEREAS, adequate funds are available in account 03895 5067 895099 5067 - Open Space Trust- Preliminary Expenses

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

1. The agreement between the County of Warren and Robert F. Heffernan, in the amount of \$2,800.00 to prepare an appraisal on the Peter Joseph Property be accepted.
2. The Freeholder Director is hereby authorized to execute said agreement.
3. Notice of this action shall be published in THE STAR-GAZETTE, as required by law, within ten (10) days of 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 111-02

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 February 13, 2002.

RESOLUTION RE: AWARD OF CONTRACT TO C. L. ORBAKER AND ASSOCIATES INC., OF FLEMINGTON, NEW JERSEY, FOR APPRAISAL SERVICES ON VARIOUS FARMS THROUGHOUT WARREN COUNTY, PROPOSED FOR ACQUISITION, AS LISTED IN THE PROPOSAL, IN THE TOTAL AMOUNT OF \$8,400.00.

WHEREAS, THE Warren County Agricultural Board has developed a list of Farms for preservation for the year 2002; and

WHEREAS, Warren County is interested in obtaining appraisals on various farm properties throughout the County as listed in the proposal, consisting of 1,430.155 acres; and

WHEREAS, land appraisals are required by the State Agricultural Committee prior to negotiations for acquisitions in order to be eligible to receive Cost Share Funding for Farm Easement Purpose; and

WHEREAS, said appraisals will be in accordance with the Agriculture Retention Program Appraisal Handbook, and the Uniform Standard of Professional Appraisal Practice;

WHEREAS, adequate funds are available in account 03895 5067 895099 5067 - Open Space Trust -Preliminary Expenses

MINUTES**FEBRUARY 13, 2002****NOW THEREFORE BE IT RESOLVED** by the Board of Chosen Freeholders as follows:

1. The agreement between the County of Warren and C. L. Orbaker and Associates, Inc., in the amount of \$8,400.00 to prepare appraisals on various farms throughout the County be accepted.
2. The Freeholder Director is hereby authorized to execute said agreement.
3. Notice of this action shall be published in THE STAR-GAZETTE, as required by law, within ten (10) days of 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 112-02

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 February 13, 2002.

RESOLUTION RE: AWARD OF PROFESSIONAL SERVICE CONTRACT WC0210R FOR PRESCRIPTION DRUG SERVICE FOR THE WARREN COUNTY CORRECTIONAL CENTER TO BACH'S PHARMACY OF POMPTON PLAINS, NEW JERSEY, FOR THE PERIOD OF APRIL 1, 2002 THROUGH MARCH 31, 2003 IN THE APPROXIMATE AMOUNT OF \$55,000.00, ACTUAL AMOUNT TO BE DETERMINED BY USE.

WHEREAS, there exists a need for the professional services of a "Pharmacist, Pharmacy Prescription Drug Service at the Warren County Correctional Center; 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

WHEREAS, adequate funds are available in budget account 012800/5093 Correctional Center -Medical Expenses Including Physicals

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 Bach's Pharmacy, Pompton Plains, New Jersey, for professional services for the above project, in the approximate amount of \$55,000.00 actual amount to be determined by actual use per letter of agreement currently on file in the Office of the Director of Purchasing, be made 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 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. A 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.

Tammy M. Lynn Deputy Clerk

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

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RESOLUTION 113-02

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 February 13, 2002.

RESOLUTION RE: AWARD OF A PURCHASE ORDER TO SUNGARD PENTAMATION INC., TO PROVIDE COMPUTER SOFTWARE AND HARDWARE MAINTENANCE FOR THE PERIOD OF JANUARY 1, 2002 THROUGH DECEMBER 31, 2003 FOR THE WARREN COUNTY INFORMATION SYSTEMS DEPARTMENT IN THE AMOUNT OF \$50,000.

WHEREAS, it has been recommended that the County issue a purchase order for computer maintenance services on special licensed computer software; and

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

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

NOW THEREFORE BE IT RESOLVED, that a purchase order is hereby awarded to Sungard Pentamation Inc., of Bethlehem, Pennsylvania for providing computer hardware and software maintenance on licensed products for the Warren County Information Systems Department

BE IT FURTHER RESOLVED by the Board of Chosen Freeholders of the County of Warren as follows:

1. The Director of Purchasing is hereby authorized and directed to issue a purchase order to Sungard Pentamation Inc., of Bethlehem, Pennsylvania.
2. This contract is awarded without competitive bidding as an "Extraordinary, Unspecifiable Service" in accordance with 40A: 11-5(1) (i) of the Local Public Contracts Law because the services defined are for licensed computer software and hardware maintenance of an extraordinary unspecifiable service.
3. A notice of this action shall be published Gazette.

Funding for this contract is provided in budget account 011400/5029- Information Systems -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 114-02

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 February 13, 2002.

A RESOLUTION ACCEPTING THE PROPOSAL BY RGP APPRAISAL ASSOCIATES OF SPARTA, NEW JERSEY, FOR APPRAISAL SERVICES ON BLOCK 102, LOT 2.01, IN LOPATCONG TOWNSHIP, PROPOSED FOR ACQUISITION, IN THE AMOUNT OF \$1,500.

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, Warren County is interested in purchasing property known as the Pellowski

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property, consisting of 5.6 acres of land with a house and 3 garages; and

WHEREAS, land appraisals are required by the Green Acres Program prior to negotiations for acquisitions in order to be eligible to receive Green Acres funding through the Planning Incentive Grant Program; and

WHEREAS, said appraisals will be in accordance with the Appraisal Institute, New Jersey Department of Environmental Protection, Green Acres Program, and the Uniform Standard of Professional Appraisal Practice;

WHEREAS, adequate funds are available in Account #03894-5065- 894299-5065 (Open Space Tax/Recreation & Conservation Land Acquisition) and certified by the Chief Financial Officer;

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

1. The agreement between the County of Warren and RGP Appraisal Associates in the amount of \$1,500.00 to prepare an appraisal of Block 102, Lot 2.01, in Lopatcong Township be accepted.
2. The Freeholder Director is hereby authorized to execute said agreement.
3. Notice of this action shall be published in THE STAR-GAZETTE, as required by law, within ten (10) days of 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 115-02

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 February 13, 2002.

A RESOLUTION ACCEPTING THE PROPOSAL BY RGP APPRAISAL ASSOCIATES OF SPARTA, NEW JERSEY, FOR APPRAISAL SERVICES ON BLOCK 39, LOT 1, IN FRANKLIN TOWNSHIP, PROPOSED FOR ACQUISITION, IN THE AMOUNT OF \$1,500.

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, Warren County is interested in purchasing property known as the Nabozny property, consisting of 75.71 acres of vacant land; and

WHEREAS, land appraisals are required by the Green Acres Program prior to negotiations for acquisitions in order to be eligible to receive Green Acres funding through the Planning Incentive Grant Program; and

WHEREAS, said appraisals will be in accordance with the Appraisal Institute, New Jersey Department of Environmental Protection, Green Acres Program, and the Uniform Standard of Professional Appraisal Practice;

WHEREAS, adequate funds are available in Account #03894-5065- 894299-5065 (Open Space Tax/Recreation & Conservation Land Acquisition) and certified by the Chief Financial Officer;

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

- I. The agreement between the County of Warren and RGP Appraisal Associates in

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- the amount of \$1,500.00 to prepare an appraisal of Block 39, Lot 1, in Franklin Township be accepted.
2. The Freeholder Director is hereby authorized to execute said agreement.
 3. Notice of this action shall be published in THE STAR-GAZETTE, as required by law, within ten (10) days of 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 116-02

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 February 13, 2002.

A RESOLUTION ACCEPTING THE PROPOSAL BY RGP APPRAISAL ASSOCIATES OF SPARTA, NEW JERSEY FOR THE APPRAISAL SERVICES ON BLOCK 39, LOT 5, IN FRANKLIN TOWNSHIP, PROPOSED FOR ACQUISITION, IN THE AMOUNT OF \$1,200.

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, Warren County is interested in purchasing property known as the Milan Tasevski property, a partial taking consisting of a farm field and forested triangle -acreage to be determined at time of survey (need per acre value for vacant land; and

WHEREAS, land appraisals are required by the Green Acres Program prior to negotiations for acquisitions in order to be eligible to receive Green Acres funding through the Planning Incentive Grant Program; and

WHEREAS, said appraisals will be in accordance with the Appraisal Institute, New Jersey Department of Environmental Protection, Green Acres Program, and the Uniform Standard of Professional Appraisal Practice;

WHEREAS, adequate funds are available in Account #03894-5065- 894299-5065 (Open Space Tax/Recreation & Conservation Land Acquisition) and certified by the Chief Financial Officer;

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

1. The agreement between the County of Warren and RGP Appraisal Associates in the amount of \$1,200.00 to prepare an appraisal of Block 39, Lot 5, in Franklin Township be accepted.
2. The Freeholder Director is hereby authorized to execute said agreement.
3. Notice of this action shall be published in THE STAR-GAZETTE, as required by law, within ten (10) days of 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 117-02

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 February 13, 2002.

MINUTES**FEBRUARY 13, 2002****A RESOLUTION ACCEPTING THE PROPOSAL BY RGP APPRAISAL ASSOCIATES OF SPARTA, NEW JERSEY FOR THE APPRAISAL SERVICES ON BLOCK 601.3, LOT 62.08, IN MANSFIELD TOWNSHIP PROPOSED FOR ACQUISITION, IN THE AMOUNT OF \$1,500.**

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, Warren County is interested in purchasing property known as the Charles J. Hart, Jr., property, consisting of 13 acres with house and garage; and

WHEREAS, land appraisals are required by the Green Acres Program prior to negotiations for acquisitions in order to be eligible to receive Green Acres funding through the Planning Incentive Grant Program; and

WHEREAS, said appraisals will be in accordance with the Appraisal Institute, New Jersey Department of Environmental Protection, Green Acres Program, and the Uniform Standard of Professional Appraisal Practice;

WHEREAS, adequate funds are available in Account #03894-5065- 894299-5065 (Open Space Tax/Recreation & Conservation Land Acquisition) and certified by the Chief Financial Officer;

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

1. The agreement between the County of Warren and RGP Appraisal Associates in the amount of \$1,500.00 to prepare an appraisal of Block 601.3, Lot 62.08, in Mansfield Township be accepted.
2. The Freeholder Director is hereby authorized to execute said agreement.
3. Notice of this action shall be published in THE STAR-GAZETTE, as required by law, within ten (10) days of 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 118-02

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 February 13, 2002.

A RESOLUTION ACCEPTING THE PROPOSAL BY RGP APPRAISAL ASSOCIATES OF SPARTA, NEW JERSEY FOR THE APPRAISAL SERVICES ON BLOCK 601.3, LOT 62.01, IN MANSFIELD TOWNSHIP, PROPOSED FOR ACQUISITION, IN THE AMOUNT OF \$1,200.

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, Warren County is interested in purchasing property known as the Brenda Sams property, consisting of 66.4 acres with house, barn and pole shed, partial taking land containing Morris Canal, approximately 4.5 acres; and

WHEREAS, land appraisals are required by the Green Acres Program prior to negotiations for acquisitions in order to be eligible to receive Green Acres funding through the Planning Incentive Grant Program; and

WHEREAS, said appraisals will be in accordance with the Appraisal Institute, New Jersey Department of Environmental Protection, Green Acres Program, and the Uniform Standard of Professional Appraisal Practice;

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WHEREAS, adequate funds are available in Account #03894-5065-894299-5065 (Open Space Tax/Recreation & Conservation Land Acquisition) and certified by the Chief Financial Officer;

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

1. The agreement between the County of Warren and RGP Appraisal Associates in the amount of \$1,200.00 to prepare an appraisal of Block 601.3, Lot 62.01, in Mansfield Township be accepted.
2. The Freeholder Director is hereby authorized to execute said agreement.
3. Notice of this action shall be published in THE STAR-GAZETTE, as required bylaw, within ten (10) days of 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 119-02

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 February 13, 2002.

A RESOLUTION ACCEPTING THE PROPOSAL BY CURRAN REALTY ADVISORS OF PRINCETON, NEW JERSEY, FOR APPRAISAL SERVICES ON BLOCK 601.3, LOT 62.08, IN MANSFIELD TOWNSHIP, PROPOSED FOR ACQUISITION, IN THE AMOUNT OF \$1,975.

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, Warren County is interested in purchasing property known as the Charles J. Hart, Jr., property consisting of 13 acres; with house and garage; and

WHEREAS, land appraisals are required by the Green Acres Program prior to negotiations for acquisitions in order to be eligible to receive Green Acres funding through the Planning Incentive Grant Program; and

WHEREAS, said appraisals will be in accordance with the Appraisal Institute, New Jersey Department of Environmental Protection, Green Acres Program, and the Uniform Standard of Professional Appraisal Practice;

WHEREAS, adequate funds are available in Account #03894-5065-894299-5065 (Open Space Tax/Recreation & Conservation Land Acquisition) and certified by the Chief Financial Officer;

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

1. The agreement between the County of Warren and Curran Realty Advisors in the amount of \$1,975.00 to prepare an appraisal of Block 601.3, Lot 62.08, in Mansfield Township be accepted.
2. The Freeholder Director is hereby authorized to execute said agreement.
3. Notice of this action shall be published in THE STAR-GAZETTE, as required by law, within ten (10) days of 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

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

RESOLUTION 120-02

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 February 13, 2002.

A RESOLUTION ACCEPTING THE PROPOSAL BY CURRAN REALTY ADVISORS OF PRINCETON, NEW JERSEY, FOR APPRAISAL SERVICES ON BLOCK 601.3, LOT 62.01, IN MANSFIELD TOWNSHIP, PROPOSED FOR ACQUISITION, IN THE AMOUNT OF \$2,175.

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, Warren County is interested in purchasing property known as the Brenda Sams property, consisting of 66.4 acres, with house, barn and pole shed, partial taking land containing Morris Canal, approximately 4.5 acres; and

WHEREAS, land appraisals are required by the Green Acres Program prior to negotiations for acquisitions in order to be eligible to receive Green Acres funding through the Planning Incentive Grant Program; and

WHEREAS, said appraisals will be in accordance with the Appraisal Institute, New Jersey Department of Environmental Protection, Green Acres Program, and the Uniform Standard of Professional Appraisal Practice;

WHEREAS, adequate funds are available in Account #03894-5065-894299-5065 (Open Space Tax/Recreation & Conservation Land Acquisition) and certified by the Chief Financial Officer;

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

1. The agreement between the County of Warren and Curran Realty Advisors in the amount of \$2,175.00 to prepare an appraisal of Block 601.3, Lot 62.01, in Mansfield Township be accepted.
2. The Freeholder Director is hereby authorized to execute said agreement.
3. Notice of this action shall be published in THE STAR-GAZETTE, as required by law, within ten (10) days of 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 121-02

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 February 13, 2002.

A RESOLUTION ACCEPTING THE PROPOSAL BY CURRAN REALTY ADVISORS OF PRINCETON, NEW JERSEY, FOR APPRAISAL SERVICES ON BLOCK 39, LOT 5, IN FRANKLIN TOWNSHIP, PROPOSED FOR ACQUISITION, IN THE AMOUNT OF \$1,975.

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, Warren County is interested in purchasing property known as the Milan Tasevski property, a partial taking consisting of a farm field and forested triangle- acreage to be determined at time of survey (need per acre value for vacant lan and

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WHEREAS, land appraisals are required by the Green Acres Program prior to negotiations for acquisitions in order to be eligible to receive Green Acres funding through the Planning Incentive Grant Program; and

WHEREAS, said appraisals will be in accordance with the Appraisal Institute, New Jersey Department of Environmental Protection, Green Acres Program, and the Uniform Standard of Professional Appraisal Practice;

WHEREAS, adequate funds are available in Account #03894-5065-894299-5065 (Open Space Tax/Recreation & Conservation Land Acquisition) and certified by the Chief Financial Officer;

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

- I. The agreement between the County of Warren and Curran Realty Advisors in the amount of \$1,975.00 to prepare an appraisal of Block 39, Lot 5, in Franklin Township, be accepted.
2. The Freeholder Director is hereby authorized to execute said agreement.
3. Notice of this action shall be published in THE STAR-GAZETTE, as required by law, within ten (10) days of 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 122-02

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 February 13, 2002.

A RESOLUTION ACCEPTING THE PROPOSAL BY CURRAN REALTY ADVISORS OF PRINCETON, NEW JERSEY, FOR APPRAISAL SERVICES ON BLOCK 39, LOT 1, IN FRANKLIN TOWNSHIP, PROPOSED FOR ACQUISITION, IN THE AMOUNT OF \$2,475.

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, Warren County is interested in purchasing property known as the Nabozny property, consisting of 75.71 acres of vacant land; and

WHEREAS, land appraisals are required by the Green Acres Program prior to negotiations for acquisitions in order to be eligible to receive Green Acres funding through the Planning Incentive Grant Program; and

WHEREAS, said appraisals will be in accordance with the Appraisal Institute, New Jersey Department of Environmental Protection, Green Acres Program, and the Uniform Standard of Professional Appraisal Practice;

WHEREAS, adequate funds are available in Account #03894-5065-894299-5065 (Open Space Tax/Recreation & Conservation Land Acquisition) and certified by the Chief Financial Officer;

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

- I. The agreement between the County of Warren and Curran Realty Advisors in the amount of \$2,475.00 to prepare an appraisal of Block 39, Lot 1, in Franklin

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- Township be accepted.
2. The Freeholder Director is hereby authorized to execute said agreement.
 3. Notice of this action shall be published in THE STAR-GAZETTE, as required by law, within ten (10) days of 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 123-02

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 February 13, 2002.

A RESOLUTION ACCEPTING THE PROPOSAL BY CURRAN REALTY ADVISORS OF PRINCETON, NEW JERSEY, FOR APPRAISAL SERVICES ON BLOCK 102, LOT 2.01, IN LOPATCONG TOWNSHIP, PROPOSED FOR ACQUISITION, IN THE AMOUNT OF \$2,875.

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, Warren County is interested in purchasing property known as the Pellowski property, consisting of 5.6 acres of land with a house and 3 garages; and

WHEREAS, land appraisals are required by the Green Acres Program prior to negotiations for acquisitions in order to be eligible to receive Green Acres // funding through the Planning Incentive Grant Program; and

WHEREAS, said appraisals will be in accordance with the Appraisal Institute, New Jersey Department of Environmental Protection, Green Acres Program, and the Uniform Standard of Professional Appraisal Practice;

WHEREAS, adequate funds are available in Account #03894-5065-894299-5065 (Open Space Tax/Recreation & Conservation Land Acquisition) and certified by the Chief Financial Officer;

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

1. The agreement between the County of Warren and Curran Realty Advisors in the amount of \$2,875.00 to prepare an appraisal of Block 102, Lot 2.01, in Lopatcong Township be accepted.
2. The Freeholder Director is hereby authorized to execute said agreement.
3. Notice of this action shall be published in THE STAR-GAZETTE, as required by law, within ten (10) days of 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.

On motion by Mr. DiMaio, seconded by Mr. DeBosh, a resolution is to be prepared for the next meeting for the appointment of Richard Furr as a regular member to the Warren County Environmental Commission.

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

RESOLUTION 124-02

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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 February 13, 2002.

RESOLUTION ABOLISHING A FULL-TIME POSITION OF BUILDING MAINTENANCE WORKER, CLASSIFIED, WITHIN THE WARREN COUNTY BUILDINGS AND GROUNDS DEPARTMENT.

WHEREAS, the Warren County Board of Chosen Freeholders desires to eliminate a full-time position of building maintenance worker, classified, in the Warren County Building and Grounds Department for purposes of efficiency and economy;

NOW, THEREFORE BE IT RESOLVED by the Warren County Board of Chosen Freeholders that the position of building maintenance worker is hereby abolished; and

BE IT FURTHER RESOLVED that 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.

RESOLUTION 125-02

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 February 13, 2002.

RESOLUTION ABOLISHING A FULL-TIME POSITION OF TRAFFIC MAINTENANCE WORKER, CLASSIFIED, AND A FULL-TIME POSITION OF LABORER, CLASSIFIED, IN THE WARREN COUNTY ROAD DEPARTMENT.

WHEREAS, the Warren County Board of Chosen Freeholders desires to eliminate a full-time position of traffic maintenance worker, classified, and a full-time position of laborer, classified, in the Warren County Road Department for purposes of efficiency and economy;

NOW, THEREFORE BE IT RESOLVED by the Warren County Board of Chosen Freeholders that the positions of traffic maintenance worker and laborer are hereby abolished; and

BE IT FURTHER RESOLVED that 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.

RESOLUTION 126-02

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 February 13, 2002.

RESOLUTION CREATING A TEMPORARY FULL-TIME POSITION OF ADMINISTRATIVE SECRETARY, CLASSIFIED, WITHIN THE WARREN COUNTY LIBRARY.

WHEREAS, a request is submitted by the director of the Warren County Library to create a temporary full-time position of administrative secretary, classified, within the Warren County Library for purposes of employee training and enhanced operations;

NOW, THEREFORE BE IT RESOLVED by the Warren County Board of Chosen Freeholders that a temporary full-time position of administrative secretary, classified, is created in the Warren County Library retroactive to January 28, 2002 and be established on AFSCME Local 3287, salary range 1237; and

BE IT FURTHER RESOLVED that this position will be abolished January 31, 2002 on

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the date of completed training.

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 127-02

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 February 13, 2002.

RESOLUTION ABOLISHING A FULL-TIME POSITION OF SUPERVISING ENGINEERING AIDE, CLASSIFIED, WITHIN THE WARREN COUNTY ENGINEERING DEPARTMENT.

WHEREAS, the Warren County Board of Chosen Freeholders desires to eliminate a full-time position of Supervising Engineering Aide, classified, in the Warren County Engineering Department for purposes of efficiency and economy;

NOW, THEREFORE BE IT RESOLVED by the Warren County Board of Chosen Freeholders that the position of Supervising Engineering Aide is hereby abolished; and **BE IT FURTHER RESOLVED** that 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.

RESOLUTION 128-02

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 February 13, 2002.

RESOLUTION CREATING FOUR (4) TEMPORARY PART-TIME POSITIONS OF SHERIFF'S OFFICER, CLASSIFIED, IN THE WARREN COUNTY SHERIFF'S DEPARTMENT.

BE IT RESOLVED by the Warren County Board of Chosen Freeholders that four (4) temporary part-time positions of *sheriffs officer*, classified, are created within the Warren County Sheriffs Department for the purpose of enhancing the efficiency and effectiveness of operations;

NOW, THEREFORE BE IT RESOLVED that four temporary part-time positions of *sheriffs officer* are created and made effective retroactive to January 31, 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 no, Mr. DiMaio yes, Mr. Doherty yes.

County Counsel Joseph J. Bell had no report.

County Engineer David Hicks had no report. Mr. Doherty asked him for feedback on the Bridge in White Township. Mr. Hicks advised that it would be worth investigating purchase using the Open Space Trust Funds. Although the bridge length is 103 feet and major repairs are needed,

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it appears that an alternate access / entrance to the property could be designed. He would be willing to investigate that as an option and will advise the Board of his findings.

County Planner David Dech informed the Board that the Green Acres Program may qualify the White Township property just discussed with Mr. Hicks. He further asked the Board for a Freeholder liaison for committee representation while they prepare the Countywide Strategic Master Plan. Mr. DiMaio asked how often the committee will meet. Mr. Dech explained no more than once a month and it is anticipated to be completed by June 2003. Mr. DiMaio offered to be the liaison, Mr. Doherty agreed to his offer.

Mr. Dech asked to clarify the status of the Long House project relating to funding through the Historic Preservation Trust Fund. Mr. DeBosh asked if it would be possible to amend our rules to allow the funding for this project. Mr. Dech read the NJ Statute that Mr. Bell sent to him. They all agreed that the statute would not allow for this funding.

Mr. Dech asked if the Board would be willing to designate a portion of the Solid Waste Service Tax Grant to fund a Recycling Coordinator position. He was informed by John Carlton that there is \$15,000 that could be used. After discussion between the Board and Mr. Dech it was agreed that this position be considered to be contracted by the PCFA.

County CFO Pete Houck had no report.

County Administrator Steve Marvin went over the proposed Intergovernmental Services Agreement between The Warren County Freeholders and the WC Soil Conservation District, for Farmland Preservation program administrative services. He explained this is a draft agreement for their review and it was already reviewed with County Counsel Mr. Bell. He explained they do need to decide if they want to enter into a ten (10) year agreement and the third paragraph may need the language amended. Mr. Doherty asked what the Board wanted shown relating to the term length. Mr. DeBosh concurred with Mr. Marvin's suggestion not to exceed five years. Mr. DiMaio commented that we have set employment contracts to three years and that is the longest term he will agree to. After further discussion, it was concluded to use a three year term, remove the automatic renewal and change the language to include references to annual appropriation approval.

Mr. Marvin gave the Board an update relating to Judge Ross's request for the additional space needed during arbitration hearings. He spoke to Mayor Scott of Belvidere and he was able to get approval from Belvidere Council granting permission for the arbitration hearings to be held in their Municipal building.

Mr. Marvin gave the Board the report prepared by Information Systems Director Barry Smith relating to their cellphone usage. Mr. Doherty thanked him for the report and stated that he felt it would best to have a stipend instead of the county paying for a cellphone. His reasoning was that he has received calls not relating to County business and doesn't feel they should automatically be paid.

Mr. Marvin advised the Board that he prepared a draft letter to be sent to Governor McGreevey, regarding the status of the Legislation to provide financial relief for stranded debt on Solid Waste Facilities. The Board asked to have the letter sent.

Under Freeholder comments Mr. DeBosh requested that the next budget meeting be moved to another location. He feels that their meeting room is not suitable for the amount of public attendance. He thought they had agreed to do this at the last meeting. He suggested contacting the Belvidere School Administrator for use of the High School. Mr. Marvin advised that the budget meeting scheduled for February 20, 2002 will have to have a cancellation advertisement and with the budget regulations the next possible date would be March 6, 2002.

Mr. DiMaio asked to review the Bond Counsel applicants. He felt they all presented

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themselves professionally. He reviewed all their contract offers and compared some of the differences relating to Bond rate and hourly rate.

RESOLUTION 129-02

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 February 13, 2002.

RESOLUTION AUTHORIZING DIRECTOR OF THE BOARD TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT FOR CERTAIN LEGAL SERVICES BY THE COUNTY OF WARREN, NEW JERSEY, WITH GIBBONS, DEL DEO, NEWARK, NEW JERSEY

WHEREAS, there exists a need for specialized legal services in connection with the authorization and the issuance of bonds and notes by the County of Warren (the "County"), a body corporate of the State of New Jersey, review of such procedures and rendering of approving legal opinions acceptable to the financial community; and

WHEREAS, such legal services can be provided by a recognized financial consultant, and the firm of GIBBONS DEL DEO, Newark, New Jersey, is so recognized by the financial community; and

WHEREAS, funds are or will be available for this purpose,

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

1. The law firm of GIBBONS DEL DEO, Newark, New Jersey, is hereby retained for the period January 1, 2002 to December 31, 2002 to provide professional services in connection with the financing of the County's Capital Improvement and Open Space, Recreation Farmland and Historic Preservation Programs, in accordance with the Proposal dated January 25, 2002, and submitted to the County.

2. The Contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:II-5 (1) (a) (i), because it is for services performed by persons authorized by law to practice a recognized profession.

3. The Director is hereby authorized to execute said agreement.

4. A copy of this resolution as well as the Contract shall be placed on file with the Clerk of the Board of Chosen Freeholders.

5. Notice of this action shall be published in THE STAR GAZETTE as required by law within ten (10) days of its adoption.

Mr. DiMaio stated he feels that he has been satisfied with past services and would like to see his services continued. Mr. DeBosh had no comment.

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: no

Under public comments Paul Mercatanti, AFSCME Local 671 told the Board that he feels the Park Ranger position should be retained. He described a list of what this employee does and feels that the county will lose without his presence. He does not feel the Sheriffs Department will be able to give the same quality service this employee does. He also noted that the Sanitation Inspector position is another one to keep. He reminded the Board that there are more developments to be built in the future and they are not planning properly.

Catherine Wojtowicz, AFSCME Union 3287 advised the Board that she feels since the Park Ranger salary was part of the Open Space Trust Fund Tax they should honor the voters request to have someone monitoring and maintaining the properties the county has acquired.

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She also shared her concerns relating to the secretarial position in the Economic Development Office.

William Hann, Chairman of the W.C. Planning Board, resident of Phillipsburg, NJ told the Board that he was here to support the Park Ranger position. He described to the Board how the position was created with the Open Space Trust Fund regulation and that it was based on what they reviewed from Hunterdon and Morris County programs.

Robert Cavanaugh, Belvidere, NJ asked the Board to keep the Park Ranger position, he feels the Sheriffs Department cannot do even half of what this employee has done. You will be creating a liability exposure to the county if you take this position away.

Dave Detrick, Chairman of the Morris Canal Commission, shared his frustration when the voters change the leadership at election time. He feels that the entire prior officials work is dumped down the drain when new elected Freeholders are in control. He reminded them that the prior Freeholders had the foresight to create this position and knew that the Park Rangers main duty was to be a steward of the acquired land. He asked them not to remove this position. Mr. Doherty responded that he feels very strongly about using the Open Space Trust Funds for acquisition. Over the years it was also noted that elected officials took some of those funds for maintenance of historical properties and that was not what the taxpayers approved. He feels that the departments could themselves be stewards of the land within the current staff levels.

Laura Opdyke, Oxford, NJ commented that the Board should consider Mr. DeBosh's suggestion to move the next budget hearing to another location. After a long discussion between the Board members it was decided to have it held at the Court House, Courtroom One on March 6, 2002.

On motion by Mr. DiMaio, seconded by Mr. DeBosh, **TO ADVERTISE CANCELING THE FEBRUARY 20, 2002 BUDGET MEETING AND TO ADVERTISE THE NEW DATE AS MARCH 6, 2002, 7:30 PM. AT THE COURT HOUSE, BELVIDERE, NJ.**

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

Laura Opdyke shared her concerns that they should utilize some of the Open Space Trust Fund to allow for maintenance of some historic buildings. She feels sure that if something is not set aside the buildings will begin to look like shacks. Mr. Doherty responded that he has dedicated his choice to the voters' interest to acquire land in Warren County to continue its rural integrity. He further noted that there are other grants available for the funding of maintenance concerns. Mrs. Opdyke feels the Shippen Manor's appearance is a crime right now. Somehow we have to look at ways to preserve some of our historic buildings. Mr. DeBosh responded that he has felt the Park Ranger position would be a good example of the maintenance needed for the county acquisitions. He agrees that we need to control future spending on additional buildings.

Mrs. Opdyke also asked for clarification of the agenda item J3 temporary Full time position for one week. Mr. Marvin explained that this was done by resolution to comply with the DOP. She also needed further confirmation on agenda item J5, Mr. Marvin explained that this will enable the Sheriffs Department to cover shortages while trying to fill full time positions. Any individual that is hired under this ruling will know in advance that it will be a 6 month employment and the individual will not be entitled to rehire at a later time.

Robert Shandor, 69 Fox Farm Road, Lopatcong Twp., told Mr. Doherty that he was in

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agreement with him relating to the Park Ranger position. He shared his experience as member of the Planning Board and Board of Recreation Commissioners that this position was never discussed as part of the Open Space Trust Fund.

There were no press comments or questions.

RESOLUTION 130-02

On motion by Mr. DeBosh, seconded by Mr. Doherty, at 10:46 p.m. the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held February 13, 2002.

A RESOLUTION AUTHORIZING EXECUTIVE SESSION OF THE WARREN COUNTY BOARD OF CHOSEN FREEHOLDERS PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12.

WHEREAS, the Warren County Board of Chosen Freeholders is subject to certain requirements of the Open Public Meetings Act, NJSA. 10:4-6, et seq., and

WHEREAS, the Open Public Meetings Act, NJSA. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

WHEREAS, it is necessary for the Warren County Board of Chosen Freeholders to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

(1) *Matters Required by Law to be Confidential*: Any matter which, by express provision of Federal law of State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.

(2) *Matters Where the Release of Information Would Impair the Right to Receive Funds*: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.

(3) *Matters Involving Individual Privacy*: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

(4) *Matters Relating to Collective Bargaining Agreements*: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

(5) *Matters Relating to the Purchase, Lease or Acquisition of Real Property of the Investment of Public Funds*: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

(6) *Matters Relating to Public Safety and Property*: Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of possible violations of the law.

(7) *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege*: Any pending or

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anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

(8) *Matters Relating to the Employment Relationship*: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance or promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

(9) *Matters Relating to the Potential Imposition of a Penalty*: Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bearing responsibility

NOW, THEREFORE, BE IT RESOLVED by the Warren County Board of Chosen Freeholders, assembled in public session on February 13, 2002, that an Executive Session closed to the Public shall be held on February 13, 2002, at 10:46 p.m. in the Freeholders Conference Room located at the Wayne Dumont, Jr. Administration Building, 165 County Route 519 South, Belvidere, New Jersey 07823 for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Warren County Board of Chosen Freeholders that the public interest will no longer be served by such confidentiality.

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

The Board returned to open session at 11:06 p.m.

On motion by Mr. DeBosh, seconded by Mr. DiMaio, and there being no further official business to come before the Board at this time, the meeting was adjourned at 11:07 p.m.

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

ATTESTED TO:

Tammy M. Lynn, Deputy Clerk