

MAY 22, 2002

MINUTES

The Board of Chosen Freeholders of the County of Warren met in regular session in its offices in the Wayne Dumont, Jr. Administration Building, Belvidere, New Jersey on May 22, 2002 at 7:30 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 Administrator Steve Marvin, County Engineer David Hicks, CFO Charles Houck, County Counsel Joseph J. Bell 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 regular meeting held on May 8, 2002 were approved.

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the minutes of the executive session held on May 8, 2002 were approved.

RESOLUTION 349-02

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 May 22, 2002.

RESOLUTION TO PAY BILLS FOR MASTER VOUCHER NUMBER 2002 - 20.

Be and it is hereby resolved that Master Voucher Certificate **For Certification/Ratification for Payment No. 2002- 20** dated **May 22, 2002** In the amount of **\$ 1,642,221.94** including bills and investments, is approved subject to the review of the vouchers By the Board of Chosen Freeholders.

2002-20	530,549.87
Payroll 5/16/02	1,111,672.07

Grand Total **\$ 1,642,221.94**

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 350-02

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

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by the Board of Chosen Freeholders of the County of Warren at a meeting held May 22, 2002.

INSERTION IN THE 2002 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$ 9,199.96 FROM THE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, CLEAN COMMUNITIES GRANT PROGRAM.

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been available by Law and the amount thereof was not determined at the adoption of the Budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the County of Warren request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the year 2002 in the sum of \$ 9,199.96, which item is now available from the State of New Jersey, Department of Environmental Protection, Clean Communities Grant Program.

BE IT FURTHER RESOLVED that a like sum of \$ 9,199.96 be and the same is hereby appropriated under caption:

“UNDER STATE AND FEDERAL PROGRAMS OFF-SET BY REVENUES”

State of New Jersey, Department of Environmental Protection, Clean Communities Grant Program (administered by the Treasurer’s Department)

BE IT FURTHER RESOLVED that the above is the result of the approval by the State of New Jersey, Dept. of Environmental Protection and that two (2) certified copies of this Resolution be forwarded to the Division of Local Government 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 351-02

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 May 22, 2002.

INSERTION IN THE 2002 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$26,000.00 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF HEALTH, PREVENTION ORIENTED SYSTEM FOR CHILD HEALTH GA#02-417-CHS-L-2 FOR A TOTAL APPROPRIATION OF \$112,864.00

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been available by Law and the amount thereof was not determined at the adoption of the Budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the County of Warren request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the year 2002 in the sum of \$ 26,000.00, which item is now available from the State of New Jersey, Department of Health, Prevention Oriented System for Child Health GA#02-417-CHS-L-2 for a total appropriation of \$112,864.00.

BE IT FURTHER RESOLVED that a like sum of \$ 26,000.00 be and the same is hereby appropriated under caption:

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"UNDER STATE AND FEDERAL PROGRAMS OFF-SET BY REVENUES"

State of New Jersey, Department of Health, Prevention Oriented System for Child Health
GA#02-417-CHS-L-2 (administered by the Public Health Nursing Agency)

BE IT FURTHER RESOLVED that the above is the result of the approval by the State of New Jersey, Department of Health and that two (2) certified copies of this Resolution be forwarded to the Division of Local Government 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 352-02

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 May 22, 2002.

NEW JERSEY OFFICE OF INSURANCE FRAUD PROSECUTOR RESOLUTION OF PARTICIPATION.

A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY ADMINISTERED BY THE OFFICE OF INSURANCE FRAUD PROSECUTOR

WHEREAS, the Office of Insurance Fraud Prosecutor has been designated by the Legislature to implement funding reimbursement for anti-insurance fraud activities, pursuant to N.J.S.A. 17:33A-28; and

WHEREAS, The Warren County Prosecutor's Office wishes to apply for funding for an action plan under the reimbursement program; and

WHEREAS, the Warren County Board of Chosen Freeholders has reviewed an accompanying application and has approved said request; and

WHEREAS, the project is a joint effort between the Office of Insurance Fraud Prosecutor and the Warren County Prosecutor's Office for the purpose described in the application;

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

- (1) As a matter of public policy, the Warren County Prosecutors Office wishes to participate to the fullest extent possible with the Office of Insurance Fraud Prosecutor.
- (2) The Attorney General has allocated funds dedicated for the purpose of reimbursing County Prosecutors for anti-insurance fraud activities.
- (3) The Office of Insurance Fraud Prosecutor shall be responsible for the receipt, review and approval of the applications for said funding.
- (4) The Office of Insurance Fraud Prosecutor 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 353-02

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 May 22, 2002.

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RESOLUTION AUTHORIZING THE COUNTY OF WARREN TO ENTER INTO AN AGREEMENT WITH THE TOWNSHIP OF MANSFIELD FOR THE CONSTRUCTION OF A SIDEWALK WITHIN THE RIGHT-OF-WAY OF COUNTY ROUTE #652.

WHEREAS, Mansfield Township and the County of Warren agree there is a need to construct a sidewalk in Mansfield Township along County Route #652 to provide for pedestrian safety; and

WHEREAS, the County owns the right-of-way along County Route #652 and agrees to permit Mansfield Township to design, construct and inspect the needed sidewalk along the northwesterly side of County Route #652 from Washburn Road to a point near the northeasterly corner of lot 1.09, block 1403.

WHEREAS, Mansfield Township will assume ownership with all rights and responsibilities for the sidewalk; and

NOW, THEREFORE BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren in the State of New Jersey approves the signing of a Sidewalk Agreement between the Township of Mansfield and the County of Warren for sidewalk construction in Mansfield Township.

BE IT FURTHER RESOLVED that the Director and Clerk of the Board are hereby authorized and directed to execute said agreement hereto and made a part of this resolution.

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 354-02

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 May 22, 2002.

RESOLUTION SUPPORTING THE APPLICATION FOR THE FY2003 SENIOR CITIZEN AND DISABLED RESIDENT TRANSPORTATION ASSISTANCE PROGRAM FUNDS WITH NEW JERSEY TRANSIT CORPORATION IN THE AMOUNT OF \$428,000; SUBJECT TO THE AVAILABILITY OF THESE FUNDS.

WHEREAS, New Jersey Transit Corporation has made available to the Warren County Board of Chosen Freeholders anticipated Senior Citizen and Disabled Resident Transportation Assistance Program (SCADRTAP) funding for the period of January 1, 2003 through December 31, 2003; and

WHEREAS, the Warren County Department of Human Services has prepared a grant application for use of these funds which are anticipated to total \$428,000.

NOW, THEREFORE BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren that the Director is authorized to sign the grant application for anticipated 2003 SCADRTAP funds totaling \$428,000 as available through the New Jersey Transit Corporation.

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 355-02

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 May 22, 2002.

RESOLUTION AUTHORIZING THE COUNTY OF WARREN TO ENTER INTO AN

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AGREEMENT WITH THE COUNTY OF HUNTERDON FOR THE DECK REHABILITATION OF THE INTERCOUNTY BRIDGE #20046/H-102-W, COUNTY ROUTE #519 OVER THE MUSCONETCONG RIVER POHATCONG TOWNSHIP, WARREN COUNTY HOLLAND TOWNSHIP, HUNTERDON COUNTY.

WHEREAS, the Intercounty Bridge known as Warren County Bridge #20046 and Hunterdon County Bridge #H-102-W, County Route #519 over the Musconetcong River, Pohatcong Township Warren County and Holland Township Hunterdon County is in need of deck rehabilitation; and

WHEREAS, both parties are desirous of effecting the bridge deck rehabilitation.

NOW, THEREFORE, BE IT RESOLVED that the Director and Deputy Clerk of the Board are hereby authorized and directed to execute said Agreement attached hereto and made a part hereof.

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 356-02

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 May 22, 2002.

RESOLUTION AUTHORIZING THE DIRECTOR OF THE BOARD TO EXECUTE AGREEMENTS FOR OLDER AMERICANS ACT TITLE III FUNDED PROJECTS UNDER THE OFFICE ON AGING 2002 WARREN COUNTY AREA PLAN FOR PROGRAMS ON AGING WITH: VISITING HOMEMAKERS FOR \$235,400 AND WARREN COUNTY LEGAL SERVICES FOR \$27,000.

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

NOW, THEREFORE, BE IT RESOLVED that the Director of the Board of Chosen Freeholders of the County of Warren is authorized to execute the following agreement in accordance with the Office on Aging 2002 Area Plan for Programs on Aging:

Agreement #02-21022 with Visiting Homemakers to provide a minimum of 22,540 hours of housekeeping to a minimum of 90 homebound individuals, and to provide a maximum of 4,420 hours of coordination of the County Meals at Home Program. Total of \$235,400 for 2002.

Agreement #02-21025 with Warren County Legal Services to provide a minimum of 700 hours of legal service to a minimum of 160 different individuals not eligible for Title XX services. Total of \$27,000 for 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 357-02

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 May 22, 2002.

RESOLUTION IN SUPPORT OF APPLICATIONS FOR FUNDING FROM THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS UNDER THE 2003 HANDICAPPED PERSONS RECREATIONAL OPPORTUNITIES ACT FOR THE ARC AND DAWN, INC. FOR \$22,323 GRANT FUNDS AND \$4,855 COUNTY MATCHING FUNDS; SUBJECT TO THE AVAILABILITY

OF FUNDS.

BE IT RESOLVED the Board of Chosen Freeholders of the County of Warren supports the submission of applications for anticipated 2003 Handicapped Persons Recreational Opportunities Act funding through the New Jersey Department of Community Affairs by the following agencies:

The ARC	\$ 13,923	Grant funds
	2,785	County matching funds
DAWN, Inc.	\$ 8,400	Grant funds
	2,100	County matching funds

BE IT FURTHER RESOLVED that the County will consider the provision of the county matching funds totaling \$4,885 in the 2003 County budget.

BE IT FURTHER RESOLVED that the Director of the Board of Chosen Freeholders is authorized to sign the grant application for anticipated 2003 Handicapped Persons Recreational Opportunities Act for funding in the total amount of \$22,323 grant funds and \$4,885 county matching funds; subject to availability.

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

Tammy M. Lynn Deputy Clerk

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

RESOLUTION 358-02

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 May 22, 2002.

RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR THE NEW FIRE TRAINING FACILITIES PHASE II AT THE WARREN COUNTY FIRE ACADEMY, FRANKLIN TOWNSHIP CONTRACT #WC0232.

BE IT RESOLVED that the plans and specifications for Contract #WC0232 for the New Fire Training Facilities Phase II at the Warren County Fire Academy, Franklin Township are hereby approved.

BE IT FURTHER RESOLVED that the County Engineer is hereby directed to advertise for proposals for the above project at least 10 days prior to the receipt of bids in

THE STAR GAZETTE

papers printed in the County.

TENTATIVE SCHEDULE

ADVERTISING DATE - Thursday, May 30, 2002
BIDS TO BE RECEIVED - Tuesday, July 2, 2002
AWARD DATE - Wednesday, July 24, 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 359-02

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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 May 22, 2002.

RESOLUTION RE: APPROVAL TO AMEND THE PROFESSIONAL SERVICE AGREEMENT WITH GEM ENGINEERING FOR AN INTERFERENCE ANALYSIS RELATED TO THE ENGINEERING OF THE 9-1-1 COMMUNICATIONS TOWER FOR THE WARREN COUNTY COMMUNICATIONS DEPARTMENT WITH AN INCREASE OF \$7,100 AND A NEW TOTAL CONTRACT AMOUNT OF \$126,100.

WHEREAS, it has been recommended that the County amend its professional services contract with Gem Engineering to perform an Interference Analysis related to the engineering of the 9-1-1 communications tower with a net increase of \$7,100.00 and total contract amount of \$126,100.00; 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 capital account 0400B401/5054 [00B401/5054] – Capital Account - Communication equipment.

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 Gem Engineering of Houston, Texas, for amendment of professional services for the above project, in the amount of \$7,100.00 and a new total contract amount of \$126,100.00 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 by signing same.
3. This contract is awarded without competitive bidding as a Professional Service under the provisions of the Local Public Contracts Law (40A:11-5 (a) (l) 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

RESOLUTION 360-02

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 May 22, 2002.

RESOLUTION RE: EXTENSION OF CONTRACT WC2047 FOR INMATE COMMISSARY SERVICES FOR THE WARREN COUNTY CORRECTIONAL CENTER TO ARAMARK CORRECTIONAL SERVICES, INC., WITH A COMMISSION RATE OF 10.7%, FOR THE THIRD AND FINAL YEAR OF A THREE YEAR CONTRACT AS PROVIDED BY THE LOCAL PUBLIC CONTRACT LAW 40A:11-15(10) FOR THE PERIOD OF JULY 1, 2002 THROUGH JUNE 30, 2003.

BE IT RESOLVED, that Warren County Contract WC2054 for inmate commissary services for the Warren County Correctional Center is hereby extended for the period of July 1,

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2002 through June 30, 2003

To.....ARAMARK Correctional Services Inc., Oak Brook, Illinois

Contractor to pay commission in the amount of 10.7%

as per their bid submitted.....May 15, 2000

No county funds are required for this 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 361-02

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 May 22, 2002.

RESOLUTION RE: AWARD OF CONTRACT WC0213 FOR WATER ANALYSIS FOR THE WARREN COUNTY HEALTH DEPARTMENT FOR THE PERIOD OF JULY 1, 2002 THROUGH JUNE 30,2003 TO AQUA PRO-TECH LABS., INC., IN THE APPROXIMATE AMOUNT OF \$13,270.

BE IT RESOLVED, that contract WC0213 for water analysis for the Warren County Health Department is hereby awarded

toAqua Pro-Tech Labs., Inc., Fairfield, New Jersey

in the approximate amount of\$13,270.00

as per their bid submitted.....April 23, 2002

and reviewed and recommended by the Director of Purchasing as the lowest responsible and responsive bid submitted.

Funds for this contract will be provided in budget account 013350/5028 – County Health Services Professional, Consulting & Special Services

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

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

Tammy M. Lynn Deputy Clerk

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

RESOLUTION 362-02

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 May 22, 2002.

RESOLUTION RE: AWARD OF CONTRACT WC0220 LEASE PURCHASE OF A ASPHALT ZIPPER MODEL AZ360 MILLING MACHINE WITH TRAILER FOR THE WARREN COUNTY ROAD DEPARTMENT TO ASPHALT ZIPPER, INC., FOR A THREE YEAR LEASE WITH A MONTHLY COST OF \$1,684.90 PER MONTH, TOTAL AFTER THREE YEARS \$60,656.40 WITH A ZERO BUY OUT COST AT THE END OF THE THREE YEAR LEASE.

BE IT RESOLVED, that contract WC0220 for lease purchase of a Asphalt Zipper Model

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AZ360 is hereby awarded

To..... Asphalt Zipper, Inc., Pleasant Grove, New Jersey

in the amount of..... \$1,684.90 per month for 36 months, total cost of \$60,656.40

as per their bid submittedApril 29, 2002

and reviewed and recommended by the Director of Purchasing as the lowest responsible and responsive bid submitted.

Funds for this contract will be provided in budget accounts 012900/5084– Roads Equipment Rental and 012950/5030 – Bridge – Operating Supplies

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 363-02

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 May 22, 2002.

RESOLUTION APPROVING THE AGREEMENT FOR ENGINEERING SERVICES FOR THE INSPECTION OF THE INSTALLATION OF WATER MAIN WITHIN THE RIGHT-OF-WAY OF COUNTY ROUTE #648, WASHINGTON TOWNSHIP, WITH FINELLI CONSULTING, P.C. (TOWNSHIP ENGINEER), OF WASHINGTON, N.J. FOR AN AMOUNT NOT TO EXCEED \$2,600.00 CONTRACT #WC0244P.

WHEREAS, there exists a need for the professional services of an Engineer for the inspection of the installation of water main within the right-of-way of County Route #648, Washington Township; and

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

WHEREAS, adequate funds are available in escrow account #40165 5100 01070 4834 and certified by the County Chief Financial Officer.

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

1. The Agreement between the Board of Chosen Freeholders of the County of Warren and Finelli Consulting Engineers, P.C. (Township Engineer) of Washington, New Jersey, for professional services for the inspection of the above project, in an amount not to exceed \$2,600.00, 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.

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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 364-02

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 May 22, 2002.

RESOLUTION AWARDING CONTRACT #WC0208 TO DENVILLE LINE PAINTING, INC. FOR THE 2002 PAVEMENT MARKINGS ON VARIOUS WARREN COUNTY ROADS IN THE AMOUNT OF \$176,561.16

WHEREAS, the County advertised for bids to be received on Tuesday, May 14, 2002 at 1:30 P.M. for Contract #WC0208 for the 2002 Pavement Markings on Various Warren County Roads; and

WHEREAS, Denville Line Painting, Inc. of Rockaway, New Jersey submitted the lowest responsible and responsive bid of \$176,561.16; and

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

WHEREAS, adequate funds have been established in accounts 012900 5125 and 0402A101 5063 and certified by the County Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED that the members of the Board of Chosen Freeholders of the County of Warren do hereby award the contract for the above project to Denville Line Painting, Inc. in the amount \$176,561.16.

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, the recommendation to accept resignation of Warren County Special Services School District Board of Education Member: Susan Boer effective 5/31/02 was accepted with regret.

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 a member to fill a vacancy on the Warren County Special Services School District Board of Education, *Appoint*: Thomas C. Gross filling term to expire 6/30/03.

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 reappointment of members to the Warren County Special Services School District Board of Education, *Reappoint*: Anthony T. Amato and Robyn Stalter, Term to expire 6/30/05.

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

RESOLUTION 365-02

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 May 22, 2002.

RESOLUTION APPOINTING MEMBERS TO THE WARREN COUNTY BOARD OF

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RECREATION COMMISSIONERS,

BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren hereby appoint the following individuals to the Warren County Board of Recreation Commissioners to fill the vacancies of preceding members:

APPOINT MEMBERS:

John M. Halmi, Jr.
34 Michael Road
Oxford, NJ 07863

Term to expire: 01/01/04

Dave Balsbaugh
63 Belview Road
Phillipsburg, NJ 08865

Term to expire: 07/07/03

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 366-02

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 May 22, 2002.

RESOLUTION APPOINTING A MEMBER TO THE WARREN COUNTY MUNICIPAL AND CHARITABLE CONSERVANCY TRUST FUND COMMITTEE,

WHEREAS, the Warren County Board of Chosen Freeholders adopted the Warren County Open Space and Farmland Preservation Trust Fund Procedures and Rules on June 26, 1996; and

WHEREAS, recommendations for membership on the committee have been received from the Township of Hardwick of the Municipal Region 6 whose previous term from Frelinghuysen Township expired on March 25, 2002;

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren hereby appoint the following person to the Warren County Municipal and Charitable Conservancy Trust Fund Committee:

Region 6: Michael Peterson, Township of Hardwick
Rotation Order: Hardwick, Allamuchy, Blairstown and
Frelinghuysen
Term: 5/22/02 to 3/25/04

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, the recommendation to accept the resignation of J. Eric Pridmore as a member of the Warren County Advisory Council on Disabilities was accepted with regret.

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 to appoint a member to the Warren County Advisory Council on Disabilities, to fill a

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recent vacancy, *Appoint:* Tara McLaughlin, filling vacancy with Term to expire: 12/31/03.

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

RESOLUTION 367-02

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 May 22, 2002.

**RESOLUTION CREATING A FULL-TIME POSITION OF PRINCIPAL CLERK, CLASSIFIED,
WITHIN THE WARREN COUNTY OFFICE ON AGING.**

BE IT RESOLVED by the Warren County Board of Chosen Freeholders that a full-time position of *principal clerk*, classified, is created in the Warren County **Office on Aging**; and

BE IT FURTHER RESOLVED that the newly created position of principal clerk be established on AFSCME Local 3287 Range 7 at forty (35) hours per week and be made effective May 23, 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 368-02

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 May 22, 2002.

**RESOLUTION ABOLISHING A FULL-TIME POSITION OF SOCIAL WORKER, CLASSIFIED,
WITHIN THE WARREN COUNTY OFFICE ON AGING.**

BE IT RESOLVED by the Warren County Board of Chosen Freeholders that the title of *clerk transcriber*, classified, is created in the Warren County Sheriff's Department, for reasons of economy and efficiency and to enhance effective operations; and

BE IT FURTHER RESOLVED that a position of *confidential aide*, unclassified, be abolished; and

BE IT FURTHER RESOLVED by the Warren County Board of Chosen Freeholders that the title of *clerk transcriber* be established on AFSCME Local 3287, Range 3 and be made effective retroactive to April 22, 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 369-02

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 May 22, 2002.

**RESOLUTION APPOINTING ALFRED G. HANDY, JR. WARREN COUNTY ASSISTANT
SUPERINTENDENT OF BRIDGES.**

WHEREAS, the Board of Chosen Freeholders of the County of Warren desires to appoint an *Assistant Superintendent of Bridges* pursuant to N.J.S.A. 27:14-24

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

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County of Warren that Alfred G. Handy, Jr. is hereby appointed Assistant Superintendent of Bridges for a term of three (3) years commencing on June 6, 2002 and terminating on June 5, 2005.

Mr. DeBosh asked for discussion, and explained that he saw the priority recommendation list of applicants to hire. It showed that one current department employee was the top choice. He advised the Board that he will be voting no as he feels they should consider promotion from within the department. Mr. DiMaio responded that the individual recommended is highly experienced and a county resident. He feels he will serve the county in this position very well.

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

Under reports and comments, County Counsel Joseph J. Bell had no report.

County Engineer David Hicks had no report.

County Planner Dave Dech was absent. He was attending the Lopatcong Township Planning Board meeting to discuss the Hamlen subdivision.

County CFO Pete Houck had no report.

County Administrator Steve Marvin presented the hiring request for the Bridge Department, position description Senior Bridge Repairer. He explained this was due to a recent vacancy and was included in the 2002 Budget. The Board approved.

Mr. Marvin began discussion on the Courthouse Tower Clock repair proposals distributed in their packets. He explained that if there was a non-profit group willing to find the funding, Buildings and Grounds Director Mr. Durborow is suggesting the first option in the packet. Mr. Doherty mentioned that the Board received a letter from a group in Belvidere willing to repair the clock at no charge. He asked Mr. Coppersmith to come forward for discussion. Mr. Ralph Coppersmith explained that he inspected the clock tower and found the reason it only works for a day and a half after it is wound is that there is an air conditioning duct obstructing the weights. His group investigated some options and is willing to do the necessary changes and work out a schedule for the weekly winding of the clock.

Mr. Coppersmith noted that this is the last original clock installed in 1852 by the manufacturer. They feel the historic preservation is worth the efforts to keep it right where it is. Mr. Marvin asked for his group of volunteers to provide a liability waiver while maintaining the clock. Mr. Coppersmith agreed. The Board agreed to accept Mr. Coppersmith's offer to repair the Courthouse Clock Tower by installing a chamber for the clock weight to travel and maintain the operations on a weekly basis for now and possibly investigate having an electric winding mechanism installed in the future.

Mr. Marvin concluded that he received a request from Sheriff Simonetti to approve his request for a Child Support Enforcement position. A Title 4 D Grant funding would cover this position. Mr. DeBosh asked who pays for the position initially. Mr. Marvin advised that the individual would need to start the PTC Training in July this year and upon completion the Grant funds should arrive and that would reimburse the county in the Fall of this year. Mr. Doherty asked that the position description has language included that once the Grant monies are gone the

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position is eliminated. The Board approved the request for this position to be posted.

Under Freeholder Comments, Mr. DeBosh stated that numerous emails have been sent relating to the administrative position request for the Farmland Preservation program. He asked that a response with a decision should be sent.

Mr. DiMaio had no comment.

Mr. Doherty advised Human Services Director Karen Kubert that he received a call from Pat Brady of Health Village explaining that his location was removed from the Warren County Transportation Schedule. Mrs. Kubert responded that the service Mr. Brady is referring to was the Hackettstown Shuttle not the Warren County Transportation program. Mr. DiMaio affirmed her response. He suggested having Mr. Brady contact Mayor Hines to get back on their schedule. Mrs. Kubert offered to contact Mr. Brady as a follow-up to his request.

Mr. Doherty announced one of his first official responsibilities, as a Freeholder was a decision not to fund the Warren County Planned Parenthood program. He advised his fellow Board members that he recently received troubling information relating to the Planned Parenthood program concealing crimes. He read the analysis report, which stated that the program staff would assist underage females with support relating to being pregnant from adult men. The report further revealed that the staff would support these young females by telling them their parents would not know what had happened. Mr. Doherty was very disturbed and outraged by this and wanted to share this with them. Mr. DeBosh responded that he has no idea if this is factual relating to the Phillipsburg program, however He asked if he could have a copy of the report to read and discuss later.

Under Closing Public Comments, Mr. Doherty announced that it has been brought to the Freeholders attention of an under ground water pollution issue in Washington Township. He advised that he had been in contact with the Environmental Health Director John Hawk and asked him to speak before resident comments began.

John Hawk reported that there was a gas station on Route 31 which had a Kerosene spill in July 2000. The County Health department responded along with numerous other agencies namely NJ DEP and Hazardous Material Response Group. The clean up was performed and tests to the surrounding soil were taken and it was concluded it had been contained. Since then a property owner had noticed an odor in their tap water. The tests revealed MTBE readings were excessive for human consumption. After numerous investigations again at the gas station location on Route 31, it was determined that there had been an underground storage tank leak. Mr. Hawk explained that he interceded when contacted in November 2001. Then in December 2001 the NJ DEP was involved and they shut down the gas station for violations to repair to the underground storage tank and began testing all the residential wells in the area for this same water contaminant.

Mr. Hawk explained the time delays for well testing results arriving from the NJ DEP. He was invited to attend an organized meeting with the citizens that were concerned. The meeting occurred in April 2002 and was attended by the Washington Twsp. Mayor, his department and the NJ DEP. He told the Board that the NJ Statutory regulations require that the NJ DEP have the authority for spills of this nature. However, he offered to assist in anyway possible. Therefore, he was taking steps to have the wells tested through his department labs, which cost less, and the response is fast. He did confirm there is the potential for some of the well testing cost incurred by the residents to be paid from the NJ Spill Fund. The Board thanked Mr. Hawk for the assistance his department provided to the residents.

Mr. Rick Gardner, Franklin Twsp. commented to Mr. DeBosh that his Express Times article was inappropriate to state the County Facilities could have been completed. He feels the Superior Court system should consider going to a night schedule instead of demanding to spend additional tax revenues. He believes the 2002 budget recently passed was fair for the county to operate efficiently and fair for the taxpayers that deserve a certain quality of life. Mr. DeBosh responded that he does not know of a Superior Court to operate at night. Unlike some elected officials he chose to take the high road on this issue considering there were funds to resolve this issue. The longer we wait the more costly the facility improvements will be later.

Marsha Marasco, 19 E. Asbury Anderson Road, Washington Twsp. told the Board her experiences relating to her well being polluted. She described all the steps and measures taken to communicate with local municipal officials, Warren County Health Department and the NJ DEP. She described the frustrations due to the level of communications received. She did however, compliment Mr. Hawk and the Warren County Environmental Health Department for all the support and willingness to communicate with the residents. Mr. Doherty responded that he appreciated all the detailed experiences she described relating to the pollution incident in Washington Township. He is confident the Warren County Environmental Health Department did what they could within their jurisdiction and authority. Mr. DiMaio suggested that the Board direct a letter be sent to the NJ DEP and ask that they move quickly to meet the needs of the residents affected in that area.

On motion by Mr. DeBosh, seconded by Mr. DiMaio, a letter is to be drafted for Director Doherty, requesting the NJ DEP to move quickly in the testing of wells that may be effected by MTBE contamination in Washington Township, NJ.

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

John Lumbar resident of Asbury Anderson Road, Washington Township also shared his concerns relating to the recent pollution. He told the Board that he forfeited a business trip to be here tonight. He has four small children living at home and was not notified for months after this all began, to date his well has not been tested. He shared concerns considering he purchased his home in November last year and it was never disclosed about the pollution exposure of October 2001. He stated he understands the Board does not have jurisdiction over this issue and has nowhere else to turn. He asked to get help in getting his well tested at no cost to him and reminded the Board about the recent suit filed by the Mine Hill Development area. Mr. Doherty responded that they want to help resolve this. He offered to extend a call directly to the Washington Twsp. Mayor and will contact his counterparts at the Assembly to get the NJ DEP to act quickly. Mr. Doherty asked Mr. Lumbar for a copy of the suit filings for the Boards review. Mr. Lumbar agreed to provide a copy to them.

There were no press comments or questions.

RESOLUTION 370-02

On motion by Mr. DeBosh, seconded by Mr. DiMaio, at 9:10pm, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held May 22, 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

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requirements of the *Open Public Meetings Act, N.J.S.A. 10:4-6*, et seq., and

WHEREAS, the *Open Public Meetings Act, N.J.S.A. 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 or 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 anticipated litigation or contract negotiation in which the public body is, or many 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 May 22, 2002, that an Executive Session closed to the Public shall be held on May 22, 2002, at 10:06 p.m. in the Freeholders Conference Room located at

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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 9:45 p.m.

On motion by Mr. DiMaio, seconded by Mr. DeBosh, and there being no further official business to come before the Board at this time, the meeting was adjourned at 9:46 p.m.

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

ATTESTED TO:

Tammy M. Lynn, Deputy Clerk