

MINUTES

427
JULY 10, 2002

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 July 10, 2002, at 7:32 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, Assistant County Engineer James Bernaski, 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”.**

There were no public comments on agenda items.

RESOLUTION 450-02

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 on July 10, 2002.

RESOLUTION TO PAY BILLS FOR MASTER VOUCHER NUMBER 2002 - 27.

Be and it is hereby resolved that Master Voucher Certificate **For Certification/Ratification for Payment No. 2002-27** dated July 10, 2002 in the amount of \$ 3,486,532.01 including bills and investments, is approved subject to the review of the vouchers By the Board of Chosen Freeholders.

2002-26	\$ 721,609.30
2002-27	\$ 1,060,104.71
Payroll 6/27/02	\$ 1,116,219.74
Payroll Uniform 6/27/02	\$ 2,175.00
Welfare 6/10/02	\$ 586,423.26
Grand Total	\$ 3,486,532.01

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 451-02

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 on July 10, 2002.

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INSERTION INTO THE 2002 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$ 55,719.00 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF HUMAN SERVICES, WORK FIRST NEW JERSEY PROGRAM FOR GA AND FS RECIPIENTS #GA0221.

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 \$ 55,719.00, which item is now available from the State of New Jersey, Department of Human Services, Work First New Jersey Program for GA and FS Recipients #GA0221.

BE IT FURTHER RESOLVED that a like sum of \$55,719.00 be and the same is hereby appropriated under caption:

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

State of New Jersey, Department of Human Services, Work First New Jersey Program for GA and FS Recipients #GA0221 (administered by the Welfare Board)

BE IT FURTHER RESOLVED that the above is the result of the approval by the State of New Jersey, Department of Human Services 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 452-02

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 on July 10, 2002.

INSERTION INTO THE 2002 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$ 477,900.00 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF HUMAN SERVICES, WORK FIRST NEW JERSEY PROGRAM #F1WZ2N.

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 \$ 477,900.00, which item is now available from the State of New Jersey, Department of Human Services, Work First New Jersey Program #F1WZ2N.

BE IT FURTHER RESOLVED that a like sum of \$ 477,900.00 be and the same is hereby appropriated under caption:

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

State of New Jersey, Department of Human Services, Work First New Jersey Program

#F1WZ2N (administered by the Welfare Board)

BE IT FURTHER RESOLVED that the above is the result of the approval by the State of New Jersey, Department of Human Services 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 453-02

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 on July 10, 2002.

RESOLUTION AUTHORIZING THE SALE AND ISSUANCE OF BOND ANTICIPATION NOTES OF THE COUNTY OF WARREN, NEW JERSEY, IN AN AGGREGATE AMOUNT NOT TO EXCEED \$1,661,000.

WHEREAS, the County of Warren, New Jersey (the "County") adopted Bond Ordinance No. 2001-C on August 23, 2000, which authorized bonds or notes in the principal amount of \$4,340,720 for various improvements, pursuant to which the County issued \$1,761,000 of Bond Anticipation Notes dated July 25, 2001, maturing July 24, 2002 (the "Prior Note"); and

WHEREAS, the County has determined it is necessary to sell bond anticipation notes authorized by said ordinance in an amount not to exceed \$1,661,000 to currently refund the Prior Note.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF WARREN, STATE OF NEW JERSEY as follows:

Section 1. Pursuant to N.J.S.A. 40A: 2-28, the following amounts of Bond Anticipation Notes (the "Notes") shall be issued on or before July 24, 2002, but in no event prior to a date which is ninety (90) days before the maturity date of the Prior Note, as determined by the Chief Financial Officer in accordance with this resolution:

a. Pursuant to Bond Ordinance No. 2001-C, a Note in the principal amount of \$1,661,000 shall be issued to redeem the Prior Note, and for the purposes stated therein.

Section 2. The following matters in connection with said Note are hereby determined:

a. All notes issued hereunder and any renewal thereof, shall mature at such times as may be determined by the Chief Financial Officer of the City, provided that any note issued pursuant hereto shall be issued for a period not to exceed one (1) year, but all such notes, including renewals, shall mature and be paid not later than the tenth (10th) anniversary of the date of the original notes; provided, however, that no such note shall be renewed beyond the third (3rd) anniversary date of the original notes unless an amount of such notes, at least equal to the first (1st) legally payable installment of the bonds of which said notes are issued in anticipation of, is paid or retired in accordance with the provisions of N.J.S.A. 40A:2-8(a) of the Local Bond Law;

b. All notes issued hereunder shall bear interest at market rates on date of issue and such interest rate shall be approved by the Chief Financial Officer.

c. The Note shall be in a form as permitted by law and approved by Bond Counsel for the County, and issued pursuant to the Local Bond Law, and any such notes or any renewal thereof, may be signed or sealed by officers of the County in any manner permitted by Section 40A: 2-25 of said Local Bond Law, notwithstanding what is otherwise set forth herein.

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d. The Note shall be callable on or after January 24, 2003 at par.

Section 3. The Chief Financial Officer of the County is hereby authorized and directed to determine all matters in connection with said Note or any renewal thereof, not determined by this or a subsequent resolution and his signature upon said Note shall be conclusive as to such determinations.

Section 4. The Chief Financial Officer of the County is hereby authorized to sell said Note or any renewal thereof, from time to time at public or private sale in such amounts as he may determine at par value or at a premium from par value, from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from the dated date of the Note to the date of delivery thereof and payment thereof.

Section 5. Any installment issued pursuant to this resolution shall be a general obligation of the County, and the County hereby pledges its full faith and credit to the punctual payment of the principal of and interest on said obligations and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 6. The Board of Chosen Freeholders of the County hereby covenants on behalf of the County to take any action necessary or refrain from taking any action in order to preserve the tax exempt status of the debt obligations authorized hereunder as is required under the Internal Revenue Code of 1986, as amended, including compliance with said Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 7. 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 454-02

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 on July 10, 2002.

RESOLUTION AUTHORIZING THE WARREN COUNTY PUBLIC HEALTH COORDINATOR TO SUBMIT AN APPLICATION TO THE NEW JERSEY DEPARTMENT OF HEALTH & SR. SERVICES FOR A LOCAL INFORMATION NETWORK & COMMUNICATIONS SYSTEM (LINCS) INFORMATION TECHNOLOGY GRANT OF \$6,117.00 FOR THE PERIOD JULY 1, 2002-JUNE 30, 2003.

WHEREAS, the New Jersey Department of Health & Senior Services (NJDHSS) has created a statewide electronic network of public health information, known as the New Jersey Local Information Network and Communications System (LINCS) to collect and distribute public health information, improve the public health work force, and respond to emerging infectious disease, bioterrorism and other public health threats; and

WHEREAS, the NJDHSS has designed the Warren County Health Department (WCHD) as one of 24 LINCS sites throughout the State; and

WHEREAS, the Warren County Board of Chosen Freeholders accepted the State's designation of the WCHD as the County LINCS site and authorized the execution of a LINCS Services Agreement between the NJDHSS and the County of Warren on January 28, 1998; and

WHEREAS, State fiscal year 2003 grant funding for the period July 1, 2002 - June 30, 2003 is available to upgrade LINCS agency information technology systems;

NOW, THEREFORE BE IT RESOLVED that the County Health Officer is authorized to apply for and utilize the aforementioned funding in the amount of \$6,117.00.

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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 455-02

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 on July 10, 2002.

RESOLUTION APPOINTING NANCY C. GAGE AS WARREN COUNTY ASSISTANT COUNTY COUNSEL.

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

WHEREAS, Nancy C. Gage, who is an associate of the law firm of Joseph J. Bell and Associates and has been recommended for appointment to the position;

NOW, THEREFORE, BE IT RESOLVED that the Warren County Board of Chosen Freeholders hereby appoints Nancy C. Gage, Esq. As Warren County Assistant County Counsel.

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

Tammy M. Lynn Deputy Clerk

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

RESOLUTION 456-02

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 on July 10, 2002.

RESOLUTION MODIFYING CONTRACT WITH CONTEXTUAL FAMILY SERVICES FOR PROVISION OF YOUTH SERVICES; CONTRACT CEILING TO INCREASE TO \$106,997; FUNDING AVAILABLE THROUGH 2002 COUNTY AND ANTICIPATED NJ STATE GRANT (JAIB-8-01) FOR THE PERIOD JULY 1, 2002 THROUGH DECEMBER 31, 2002; GRANT FUNDING SUBJECT TO AVAILABILITY.

WHEREAS, on April 24, 2002, the Warren County Board of Chosen Freeholders approved a contract modification between the county and Contextual Family Services raising the 2002 county contract to \$68,951; and

WHEREAS, the NJ Juvenile Justice Commission has made available to the county anticipated grant funding for youth services (JAIBG-8-01); and

WHEREAS, youth services funding is also available through the 2002 County Budget; and

WHEREAS, the Warren County Mental Health Board and the Youth Services Coordinating Council have recommended Contextual Family Services be awarded youth services funding for the period July 1, 2002 through December 31, 2002; thereby raising the county contract ceiling to \$106,997 as follows:

\$9,968 County/County Match

\$28,078 NJ JAIBG Grant (JAIBG-8-01)

and; **WHEREAS**, county funds for this contract are available in account #0135606 5635 and #013480 5029); state grant funding subject to availability.

NOW, THEREFORE BE IT RESOLVED that the Board of Chosen Freeholders approves the 2002 contract modification with Contextual Family Services for additional of \$28,078 grant funding (JAIBG-8-01) and \$9,968 county funding; contract ceiling to increase to \$106,997 for the period July 1, 2002 through December 31, 2002; grant funds subject to availability.

I hereby certify the above to be a true copy of a resolution adopted by the Board of

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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 457-02

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 on July 10, 2002.

RESOLUTION MODIFYING CONTRACT WITH DOMESTIC ABUSE & RAPE CRISIS CENTER FOR PROVISION OF YOUTH RELATED SERVICES; CONTRACT CEILING TO INCREASE TO \$73,007; FUNDING AVAILABLE THROUGH THE NJ JJC; (GRANT JAIB-8-01) FOR THE PERIOD JULY 1, 2002 THROUGH DECEMBER 31, 2002.

WHEREAS, on December 19, 2001, the Warren County Board of Chosen Freeholders approved a contract between the county and Domestic Abuse and Rape Crisis Center in the amount of \$71,156 for CY'2002; and

WHEREAS, the NJ Juvenile Justice Commission has made available to the county grant funding for youth related services (#JAIBG-8-01); and

WHEREAS, the Warren County Mental Health Board and the Youth Services Coordinating Council have recommended that DARCC be awarded \$1,847 of these funds for the period July 1, 2002 through December 31, 2002; thereby raising the county contract ceiling to \$73,007; subject to availability of grant funds; and

NOW, THEREFORE BE IT RESOLVED that the Board of Chosen Freeholders approves the CY'2002 contract modification with DARCC for an additional \$1,847; contract ceiling to increase to \$73,007; funds subject to availability for the period July 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 458-02

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 on July 10, 2002.

RESOLUTION MODIFYING CONTRACT WITH FAMILY GUIDANCE CENTER FOR PROVISION OF YOUTH RELATED SERVICES; CONTRACT CEILING TO INCREASE TO \$638,207; FOR THE PERIOD JULY 1, 2002 THROUGH DECEMBER 31, 2002.

WHEREAS, on December 19, 2001, the Warren County Board of Chosen Freeholders approved a contract between the county and Family Guidance Center in the amount of \$610,103 for CY'2002; and

WHEREAS, the Warren County Mental Health Board and the Youth Services Coordinating Council have recommended that FGC be awarded \$28,104 for the period August 1, 2002 through December 31, 2002; thereby raising the county contract ceiling to \$638,207; and

WHEREAS, funds for this contract are available in county account # 013606 5635.

NOW, THEREFORE BE IT RESOLVED that the Board of Chosen Freeholders approves the CY'2002 contract modification with FGC for an additional \$28,104; contract ceiling to increase to \$638,207; funds available August 1, 2002 through December 31, 2002.

I hereby certify the above to be a true copy of a resolution adopted by the Board of

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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 459-02

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 on July 10, 2002.

RESOLUTION AUTHORIZING THE DIRECTOR OF THE BOARD TO EXECUTE AN AGREEMENT FOR AN OLDER AMERICANS ACT TITLE III FUNDED PROJECT UNDER THE WARREN COUNTY DIVISION OF SENIOR SERVICES 2002 WARREN COUNTY AREA PLAN FOR PROGRAMS ON AGING WITH HACKETTSTOWN COMMUNITY HOSPITAL FOR \$13,000.

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 #02-21918 with Hackettstown Community Hospital to provide a minimum of 2,000 weekend home delivered meals to a minimum of 50 different people aged 60 and over in the Hackettstown area. Total of \$13,000 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 460-02

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 on July 10, 2002.

RESOLUTION AUTHORIZING THE DIRECTOR OF THE BOARD TO EXECUTE ADDENDUM #2 MASTER SERVICE AGREEMENT #W003B (VEHICULAR SERVICES), #W004B (COPY PAPER SUPPLY SERVICES) AND #W006B (FACILITIES SERVICES) BETWEEN THE STATE OF NEW JERSEY, JUDICIARY, ADMINISTRATIVE OFFICE OF THE COURTS AND THE COUNTY OF WARREN EFFECTIVE JULY 1, 2002 UNTIL JUNE 30, 2003.

WHEREAS, the State of New Jersey, Judiciary, Administrative Office of the Courts ("AOC") has converted the costs of the court offices; and

WHEREAS, the County has agreed to the terms in the Master Service Agreement #W003B Vehicular Services, #W004B Copy and Computer Paper Supplies Services and #W006B Facilities Services; and

WHEREAS, both parties have agreed to the terms and conditions as outlined in the above mentioned Master Service Agreement and Addendum #2 attached to the agreement.

NOW, THEREFORE, BE IT RESOLVED that the Director of the Board of Chosen Freeholders of the County of Warren is Hereby authorized to execute addendum #2 of Master Service Agreement #W003B, #W004B and #W006B.

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 461-02

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 on July 10, 2002.

RESOLUTION TO AUTHORIZE THE FREEHOLDER DIRECTOR TO AMEND THE RESOLUTION AUTHORIZING THE PURCHASE OF BLOCK 28, LOTS 9, 9.04 AND 9.05, IN HARMONY TOWNSHIP, CONTAINING 30 ACRES OF VACANT LAND, AND TO ENTER INTO AN AGREEMENT WITH THE PHILLIPSBURG RIVERVIEW ORGANIZATION FOR THE ASSIGNMENT OF INTEREST IN THE ABOVE UNIMPROVED REAL PROPERTY.

WHEREAS, the County entered into an Offer to Purchase Unimproved Real Property by resolution dated April 24, 2002 (E9); and

WHEREAS, the Phillipsburg Riverview Organization, hereinafter known as PRO, desires to obtain an interest in the property known as Block 28, Lots 9. 9.04 and 9.05, in Harmony Township; and hereinafter referred to as the Subject Property; and

WHEREAS, the County and PRO have reached an understanding for PRO to obtain an interest in the Subject Property; and

WHEREAS, PRO's cost will be \$117,500.00 for which PRO will receive 50 percent undivided interest in the Property.

WHEREAS, this land acquisition is eligible to receive Green Acres funding through the Planning Incentive Grant Program; and

WHEREAS, adequate funds are available in account #03894 5065 894108 5065 (Open Space Tax Recreation and Conservation Land Acquisition) and certified by the Chief Financial Officer; and

NOW, THEREFORE, BE IT RESOLVED that the County, for and in consideration of the sum of One Hundred Seventeen Thousand Five Hundred Dollars (\$117,500.00), agrees to assign and convey to the PRO a 50 percent undivided interest in the Subject Property, subject to the following terms and conditions:

- 1) Conveyance shall be conditional upon closing of title under the Agreement.
- 2) The County shall have a 50 percent undivided interest, and PRO shall have a 50 percent undivided interest in the Subject Property.
- 3) Payment of consideration by PRO shall be made directly to Gerald J. Prentiss, John J. Mulada and William A. Wilson, at closing under the Agreement.
- 4) It is understood and agreed that all understandings and agreements heretofore had between the parties are merged herein, and that this instrument is entered into after full investigation and review of the Agreement, neither party relying upon any statement or representation not embodied herein.
- 5) It is understood and agreed that PRO is not a third party beneficiary under the Agreement and that the County is under no obligation to perform hereunder if title to the Subject Property does not close for any reason.
- 6) PRO will reimburse the County 50 percent of the cost associated with the survey, preliminary site assessment and appraisal of the Subject Property, using Green Acres funding.
- 7) PRO will order a title policy for the Subject Property, 50 percent of the cost of which will be reimbursable to PRO from Green Acres funding.
- 8) The County and PRO will enter into a Memorandum of Understanding with PRO to assume management obligations for the Subject Property, recognizing that the details of the Management Agreement will be determined and agreed to by the County and PRO and set forth in a separate instrument after closing with PRO on the Subject Property.

I hereby certify the above to be a true copy of a resolution adopted by the Board of

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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 462-02

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 on July 10, 2002.

RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR THE RESURFACING & REHABILITATION OF COUNTY ROUTES #519, #627, & #637, POHATCONG, GREENWICH & LOPATCONG TOWNSHIPS - CONTRACT #WC0250.

BE IT RESOLVED that the plans and specifications for Contract #WC0250 for the Resurfacing & Rehabilitation of County Routes #519, #627 & #637, Pohatcong, Greenwich & Lopatcong Townships 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, JULY 18, 2002
BIDS TO BE RECEIVED - TUESDAY, AUGUST 6, 2002
AWARD DATE - WEDNESDAY, AUGUST 14, 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 463-02

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 on July 10, 2002.

RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR THE RESURFACING OF COUNTY ROUTE #519 FEDERAL AID PROJECT STP - 327 (101) CON ALPHA BOROUGH & POHATCONG TOWNSHIP CONTRACT #WC0254.

BE IT RESOLVED that the plans and specifications for Contract #WC0254 for the Resurfacing of County Route #519 in Alpha Borough & Pohatcong Township are hereby approved.

BE IT FURTHER RESOLVED that the County Engineer is hereby directed to advertise for bids for the above project once a week for three consecutive weeks in the following two newspapers printed in the County. The third advertisement shall be at least 10 days prior to the receipt of bids.

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**TENTATIVE SCHEDULE
ADVERTISING DATES - July 18, 2002, July 25, 2002 & August 1, 2002
BIDS TO BE RECEIVED - Tuesday, August 13, 2002
AWARD DATE - Wednesday, August 28, 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 464-02

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 on July 10, 2002.

RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR THE REPAIR OF WARREN COUNTY BRIDGE #22016 PLANE HILL ROAD OVER THE POHATCONG CREEK WASHINGTON TOWNSHIP - CONTRACT #WC0255.

BE IT RESOLVED that the plans and specifications for Contract #WC0255 for the Repair of Warren County Bridge #22016, Plane Hill Road over the Pohatcong Creek, Washington 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 - JULY 18, 2002
BIDS TO BE RECEIVED - AUGUST 6, 2002
AWARD DATE - AUGUST 14, 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 465-02

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 on July 10, 2002.

RESOLUTION RE: APPROVING THE PROFESSIONAL SERVICES AGREEMENT WC0256R FOR PROFESSIONAL DRUG AND ALCOHOL TESTING SERVICES FOR CDL REQUIREMENTS TO NATIONAL DRUG SCREEN, INC., FOR THE PERIOD OF AUGUST 1, 2002 THROUGH JULY 31, 2003 IN AN AMOUNT NOT TO EXCEED \$5,000.00.

WHEREAS, there exists a need for the professional services of a drug and alcohol test screening service for CDL requirements; 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 bidding must be publicly advertised 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

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regulations governing the award of such contracts;
and

WHEREAS, adequate funds are available in budget account 012900/5093 – Roads Medical Expenses and Physicals 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 National Drug Screen Inc., of Belvidere, New Jersey for professional services for the above project in the approximate amount of \$5,000.00 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 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 466-02

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 on July 10, 2002.

RESOLUTION RE: APPROVING CONTRACT MODIFICATION #1 FOR CONTRACT WC0189 INFORMATION TECHNOLOGY SUPPORT AND SERVICES FOR THE WARREN COUNTY INFORMATION DEPARTMENT WITH W2BI PARTNERED WITH COMPUTER SERVICES GROUP, INC., NEW YORK, NEW YORK FOR SUPPLYING AN ADDITIONAL COMPUTER TECHNICIAN AS SPECIFIED IN THE ORIGINAL BID AT A COST OF \$9,100.00 PER MONTH, STARTING AUGUST 1, 2002, A NET INCREASE OF \$109,200.00 YEARLY, AND A FINAL CONTRACT AMOUNT OF \$327,600.00 PER YEAR.

WHEREAS, W2BI partnered with Computer Services Group, Inc., of New York, New York was awarded a contract for information technology support services for the Warren County Information Systems Department in the contract amount of \$218,400.00; and

WHEREAS, there is a need to supply an additional technician as specified in the original bid and determined as needed by the Information Systems Director; and

WHEREAS, this change in award will result in a additional monthly charge of \$9,100.00, an increase of \$109,200.00 yearly to the current contract; and

WHEREAS, adequate funds are available in budget account 011400/5029 – Information Systems – Contracted Services; and

NOW THEREFORE BE IT RESOLVED, that the members of the Board of Chosen Freeholders of the County of Warren do hereby approve Contract Modification #1 for the above project for a net increase of \$109,200.00 and a final contract amount of \$327,600.00

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

Tammy M. Lynn Deputy Clerk

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

RESOLUTION 467-02

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 on July 10, 2002.

RESOLUTION RE: AWARD OF A PURCHASE ORDER TO VERIZON-NJ, INC., TO PROVIDE MAARS SYSTEM EQUIPMENT MAINTENANCE FOR THE WARREN COUNTY COMMUNICATIONS CENTER IN THE TOTAL AMOUNT OF \$22,997.16.

WHEREAS, it has been recommended that the county issue a purchase order for maintenance services on special communications equipment; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A: 11-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 be awarded to Verizon – NJ Inc., of Trenton, New Jersey, for providing maintenance on special telecommunications equipment at the Warren County 9-1-1 Communications Center.

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 Verizon – NJ Inc., of Trenton, New Jersey.
- 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 9-1-1 telecommunication equipment maintenance of an extraordinary unspecifiable service.
- 3. A notice of this action shall be published in the Star Gazette.
Funding for this contract is provided in account 012500/5026 – Communication Center – Contracted Equipment Maintenance

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

Tammy M. Lynn Deputy Clerk

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

RESOLUTION 468-02

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 on July 10, 2002.

RESOLUTION RE: AWARD OF CONTRACT WC0240 CCTV INSTALLATION AND UPGRADE WITH OPTIONS 1 & 2, AT WARREN ACRES AND THE WARREN COUNTY CORRECTIONAL CENTER TO INTEGRATED SYSTEMS & SERVICES, INC., IN THE TOTAL CONTRACT AMOUNT OF \$76,468.00

BE IT RESOLVED, that contract WC0240 for the installation and upgrade with Options 1 & 2 at Warren Acres and the Warren County Correctional Center is hereby awarded

toIntegrated Systems & Services, Inc., Cliffwood, New Jersey

in the amount of\$76,468.00

as per their bid submittedJune 17, 2002

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

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Funding for this contract has been provided in capital accounts 0402A407/5058 – Warren Acres Surveillance Cameras and 0402A405/5058 – Correctional Center CCTV Upgrades

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 469-02

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 on July 10, 2002.

RESOLUTION RE: AWARD OF CONTRACT WC0225A FOR OFFICE SECURITY IN THE COURTHOUSE ANNEX WELFARE DEPARTMENT FOR THE PERIOD OF AUGUST 1, 2002 THROUGH JULY 31, 2003 WITH THE RIGHT TO EXTEND FOR ONE ADDITIONAL YEAR CONTRACT AS PROVIDED BY THE LOCAL PUBLIC CONTRACTS LAW 40A: 11-15 TO U.S. SECURITY ASSOCIATES, INC. AT THE HOURLY RATE OF \$10.76, AND THE OVERTIME RATE OF \$16.14 FOR AN ESTIMATED CONTRACT AMOUNT OF \$24,000.00

BE IT RESOLVED, that contract WC0225A for office security in the Courthouse Annex Welfare Department is hereby awarded

to U.S. Security Associates, Inc., Willow Grove, Pennsylvania

in the amount of \$10.76 per hour, overtime \$16.14 per hour
estimated contract amount of \$24,000.00
as per their bid submitted . . . June 25, 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 account 61.3 – Administration Account - Other

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 470-02

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 on July 10, 2002.

RESOLUTION RE: APPROVING CHANGE ORDER #1 FOR CONTRACT WC0105 COURTHOUSE ANNEX RENOVATION WITH CHRISTOPHER RILEY RESTORATION, FOR REPLACEMENT COPING, RE-ROOFING AND WINDOW REPLACEMENT FOR A NET INCREASE OF \$11,930.00 AND A FINAL CONTRACT AMOUNT OF \$516,930.00.

WHEREAS, Contract WC0105 was awarded to Christopher Riley Restoration, of Flemington, New Jersey for Courthouse Annex Renovation in the Contract amount of \$505,000.00; and

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WHEREAS, additional replacement of coping, re-roofing and window replacement was required; and

WHEREAS, adequate funds have been established in capital account 0400B502/5062{00B502/5062} – Capital Account – Courthouse Annex Renovations and certified by the County Treasurer.

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 contract for a net increase of \$11,930.00 and a final Contract in the amount of \$516,930.00

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

Tammy M. Lynn Deputy Clerk

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

RESOLUTION 471-02

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 on July 10, 2002.

RESOLUTION RE: AWARD OF CONTRACT WC0195CA COMPETITIVE CONTRACT FOR COUNTYWIDE STRATEGIC GROWTH PLAN WITH GROWTH AND TRAFFIC IMPACT ANALYSIS & TRANSPORTATION PLAN FOR THE WARREN COUNTY PLANNING DEPARTMENT TO EDWARDS AND KELCEY IN THE AMOUNT OF \$244,984.

WHEREAS, six sealed proposals were received, opened and read in public on May 28, 2002, at 1:30 PM prevailing time for the Countywide Strategic Growth Plan with Growth and Traffic Impact Analysis and Transportation Plan

WHEREAS, the proposals were reviewed by a committee of ten and ranked pursuant to the Evaluation Report on file with the Clerk of the Board, and the committee has determined that the proposal submitted by Edwards and Kelcey demonstrates superiority in the proposal detail.

WHEREAS, funds for this contract will be provided in grant accounts S1180/5387/5029 – Smart Growth Planning Grant and S2180/5349/5028 – NJIT Traffic Study; and

NOW THEREFORE BE IT RESOLVED, that a contract is hereby awarded to Edwards and Kelcey of Morristown, New Jersey for a Strategic Growth Plan with Growth and Traffic Impact Analysis and Transportation Plan for the Warren County Planning Department in the total contract amount of \$244,984.14

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

1. The Director is hereby authorized and directed to enter into a contract with Edwards and Kelcey of Morristown, New Jersey.
2. A notice of this action shall be published in the Star Gazette, as required by NJSA: 40A: 11-4.5g.

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 472-02

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 on July 10, 2002.

RESOLUTION REAPPOINTING MEMBERS TO THE WARREN COUNTY MENTAL HEALTH BOARD WITH THREE-YEAR TERM TO EXPIRE JUNE 30, 2005

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BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren hereby reappoint the following individuals to the Warren County Mental Health Board for a three year term:

RE-APPOINT MEMBERS:

Mark Perrin
914 Maple Avenue
Newton, NJ 07860

Term to expire: 06/30/05

Roberta Fohr
614 South Main Street
Stewartsville, NJ 08886-2209

Term to expire: 06/30/05

Anthony Yancey
1766 Teton Drive
Blakeslee, PA 18610

Term to expire: 06/30/05

Theresa Singley
618 Rugby Road
Phillipsburg, NJ 08865

Term to expire: 06/30/05

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 473-02

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 on July 10, 2002.

RESOLUTION APPOINTING A MEMBER TO FILL AN UNEXPIRED TERM ON THE WARREN COUNTY MOSQUITO EXTERMINATION COMMISSION,

WHEREAS, the Warren County Mosquito Extermination Commission has received written notice from Board Member Louis Feder of his resignation for the term expiring October 18, 2004; and

WHEREAS, the Warren County Mosquito Extermination Commission has reviewed applicants to fill this vacancy position and has made a recommendation.

NOW, THEREFORE BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren hereby accept the recommendation to appoint the following individual to the Warren County Mosquito Extermination Commission to fill this vacancy:

APPOINT MEMBER:

Daniel Hirshberg
222 Pine Street
Hackettstown, NJ 07840

Term to expire: 10/18/04

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.

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RESOLUTION 474-02

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 on July 10, 2002.

RESOLUTION APPOINTING A MEMBER TO FILL AN UNEXPIRED TERM ON THE WARREN COUNTY ADVISORY COUNCIL on DISABILITIES

WHEREAS, the Warren County Advisory Council on Disabilities has received written notice from Board Member Ann Bennett of her resignation for the term expiring December 31, 2003; and

WHEREAS, the Warren County Advisory Council on Disabilities has reviewed applicants to fill this vacancy position and has made a recommendation.

NOW, THEREFORE BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren hereby accept the recommendation to appoint the following individual to the Warren County Advisory Council on Disabilities to fill this vacancy:

APPOINT MEMBER:

Deborah J. Butler
51 E. Grand Street
Hampton, NJ 08827

Term to expire: 12/31/03

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 475-02

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 on July 10, 2002.

RESOLUTION APPOINTING MEMBERS TO THE WARREN COUNTY TRANSPORTATION ADVISORY COUNCIL

BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren hereby reappoint the following individuals to the Warren County Transportation Advisory Council for a two year term:

APPOINT MEMBER:

Susan Cuoco
212 Firth Street
Phillipsburg, NJ 08865

Term: 12/31/04

Daniel Phillips
32 East Washington Avenue
Washington, NJ 07882

Term: 12/31/04

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.

Under reports and comments, County Counsel Joseph J. reported that he had some litigation items to discuss in executive session.

Assistant County Engineer James Bernaski had no report.

County Planner David Dech had no report.

County CFO Charles Houck, passed out a preliminary Memorandum of Understanding between the Board and the NJ Department of Transportation for the Railroad Museum land purchase allowance of \$875,000. He advised the Board that this MOU cover all the points of concern in question and ask that it be presented for resolution at the next regular meeting. Mr. DeBosh asked if there are plans for this to happen soon. Mr. Houck advised no. However, the funds would be in a dedicated joint account collecting interest. Mr. DeBosh responded would there be an expiration date set. Mr. Houck advised they could not expect when the land will be purchased. As a compromise, the county will get the interest on the funds sitting in the account. When the need arises to use the \$875,000 for the land purchase of the Railroad Museum site, that portion will be transferred to the state and the interest stays with the county. This way both the county and state are protected by the joint accounting agreement.

County Administrator Steve Marvin requested approval of the Hiring Requests: One Full/time position for the WC Library Headquarters, Sr. Library Clerk Driver, One Part/time Juvenile Detention Officer for Warren Acres Juvenile Detention Center, One Full/time Juvenile Detention Officer for Warren Acres Juvenile Detention Center and a late request arrived from Surrogate Susan Dickey for a Full/time Probate Clerk needed due to a recent resignation. The Board approved posting for the positions.

Mr. Marvin informed the Board that during the last Audit completed by KPMG, recommendations were made that the County has a shortfall relating to disaster recovery of the Warren County Information System Division. He asked Director Barry Smith to research creating a Business Continuity Plan. He asked the Board for approval to allow Mr. Smith to seek proposals for a Business Continuity Plan with final approval at a future Freeholder meeting. The Board agreed.

Mr. Marvin asked the Board to review the written request from the WC Shade Tree Commission relating to installing signs concerning dog-walking restrictions for the Garrett D. Wall Park in Belvidere. He noted that Belvidere already has a dog ordinance adopted, however, the commission would like approval to install four signs. Mr. Marvin asked the Warren County Shade Tree Chairman Ralph Coppersmith to report their concerns. Mr. Coppersmith advised the Board that it was brought to their attention that the Park has become a regular dog walking area. He confirmed that two weeks ago there were 13 dogs in the park and the owners did not attempt to clean up after their dogs. He stated that many groups with young children use the Park regularly and this could cause health issues for the children. Mr. Coppersmith stated that the Shade Tree Commission felt that it was within their jurisdiction to enhance the ordinance by installing noticeable signs describing the proper care of the park when people have their dogs there.

Mr. Doherty asked if Belvidere had an ordinance. Mr. Coppersmith confirmed yes, it states you must clean up after your dog. Mr. DeBosh raised concern that the sign if approved has to be in compliance with the town ordinance. Mr. DiMaio stated that any sign can be installed to enhance the Town ordinance however, enforcement is the key. He continued explaining that if the property owners that witness violations of the ordinance do not come forward and file written complaints the problem will continue. He suggested that Mr. Coppersmith confirm the ordinance with the Town of Belvidere before any consideration for signs can be approved. County Counsel Joseph J. Bell offered to meet with Mr. Coppersmith to review the situation and advise the appropriate action to protect all concerns. The Board

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agreed to Mr. Bell's suggestion.

Mr. Marvin reported that Mr. Doherty will be on vacation the last week of August and has requested to move the August 28, 2002 meeting date to August 21, 2002. Mr. DiMaio reported that he was going to be out of town the first and second weeks of August. Originally he had some business meetings and he was going to be back for the Freeholder meeting scheduled August 14, 2002. Plans have changed and he no longer has the business meetings. He asked if they could have one meeting in August instead of two. Mr. DeBosh stated he has no conflicts for any of the dates and would agree to what works best for the whole Board.

On motion by Mr. DiMaio, seconded by Mr. DeBosh, a request to cancel the regular meetings of the Board of Chosen Freeholders on August 14, 2002, August 28, 2002 and reschedule a new regular meeting of the Board of Chosen Freeholders on August 21, 2002 be approved.

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

Director Doherty announced at 7:50 p.m. that they would begin the Public Hearing for discussion of Allocation of the Funds within the Open Space, Recreation, Farmland Preservation and Historic Preservation Trust Fund. Anyone wishing to come forward was asked to please state his or her name and address for the record. Director Doherty further stated that if he sees a need, he will advise a limit of three-minute discussions.

Mr. DiMaio asked his fellow Board to explain the changes described. Mr. Doherty stated that he feels the best use of the funds would be to increase the Farmland Preservation segment. This would give the Board the ability to preserve more land and reduce the need in the future for maintenance expense. Mr. Marvin advised he reviewed the allocation changes with the County CFO and Mr. Houck explained that there are some current land acquisitions that may be affected if the percentage is changed effective immediately. They recommend that the Board allow for the current commitments to be finalized and to agree to an effective date of January 1, 2003 for the new allocations if approved tonight.

Orrie Terpstra, Chairman of the County Agricultural Development Board and farmer in Knowlton Township explained that he has been on numerous committees, met at various times with the Soil Conservation Director and they all feel that the Farmland Preservation portion should be increased. He advised the Board that there is a very short window of opportunity, there is land available so any increase would be appreciated before the window closes.

Joel Schnetzer, Asbury Dairy Farmer and the President of the Warren County Agricultural Board agreed with Mr. Terpstra. He doesn't want to sound biased however, he has watched Politicians use the Farmland Preservation fund as their platforms. Mr. Schnetzer stated now is the time to increase the allocation of funds. The voters approved this and should be informed more regularly how the funds are split up. The public deserves to know where the tax is appropriated. He continued stating that the Farmland remains on the tax rolls, there are no maintenance issues as with the Open Space and Historic Trust acquisitions. He recommended to the Board to allocate 75 percent for the Farmland and stated that the Warren County Ag. Board is second in the State relating to preservation aggressiveness.

Mr. DiMaio described the current formula of 37.5 percent Farmland Preservation, 37.5 percent Open Space and 25 percent Municipal and Charitable Conservancy. He stated that Farmland Preservation has no long-term maintenance costs. Mr. DiMaio explained that he feels the proposed allocation change is not high enough for the Farmland Preservation however, he is not sure if 75 percent may be too high. Mr. Doherty agreed and stated that it is a hard

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balancing act to be fair with all the municipalities that contribute to the fund and lack the Farmland to be purchased. Mr. DeBosh stated that he is a huge supporter of the Farmland Preservation program however, he is not sure changing the formula that drastically would benefit the whole county.

Mr. Schnetzer responded that he is biased to the Farmland Preservation program and feels strongly that 75 percent be considered. He explained that past county budgets used to dedicate \$1,000,000 for preservation. Mr. DiMaio asked what the total tax revenues were. Mr. Houck confirmed \$2.8 million. Mr. DiMaio responded that if we changed the Farmland to 50 percent, \$1.4 million would be allocated. Mr. Schnetzer thanked the Board for taking the time to hear his concerns.

Mr. DiMaio asked what the Municipal and Charitable Conservancy Trust was. Mr. Marvin explained the funds are turned over to the local municipality to use for land purchases and then the municipality assumes the maintenance responsibilities. The Trust has committee representation from throughout the county and they review all the application before approved.

Mr. DeBosh described that portions of Warren County do not qualify for Farmland acquisition due to the soil conditions. He feels the Board needs to recognize this and keep some of the funds in all the categories. Mr. Terpstra responded that he knows some of the soil conditions are fair, however, they can be improved to qualify. Mr. Terpstra stated that there are too many developers putting a lot of pressure on the farmlands in the lower part of the county where the soil conditions are the best. If the Board doesn't make changes to allow the acquisitions, this land will be lost to the developers. Then there will be added long-term county and local municipal cost for increased school needs, police enforcement, road maintenance etc.

Mr. DiMaio thanked him for his information. He stated that the purpose of this public hearing is to kick around ideas and look at long term costs of Open Space and Historic Trust acquisitions. Mr. DiMaio commented that the percentages can be amended yearly and he is pleased to know that the county has one centralized department now to manage this new process. After listening to all the suggestions, Mr. DiMaio suggested that right now the priority would be to put 75 percent into Farmland Preservation and 25 percent into Municipal and Charitable Trust Conservancy.

Robert Shandor, President of the Warren County Board of Recreation Commissioners and resident of Lopatcong Township stated he would like to see 50 percent for Open Space acquisitions. He knows his Board has 1,000 acres committed and that was supposed to be the purpose of the bonding. He suggested that the Board adopt the Farmland installment purchase program and give the farmers the tax free interest payments. Mr. Shandor recommended to have the allocations 50 percent Open Space, 25 percent Farmland and 25 percent for Municipal and Charitable Conservancy Trust.

Mr. DiMaio stated that he would like to see a forecast instead of deciding on a specific percentage right now. Mr. Doherty responded that all purchases are subject to Board approval right now and they can control where the funds are spent. Mr. Marvin reminded the Board that there are some uncertainties right now relating to state reimbursement on prior Farm purchases which need to be watched this year.

Mr. Bell advised the Board that if they are not approving the current resolution allocations, they will need to reschedule another public hearing. Mr. Doherty stated we will need to reschedule another public hearing. Mr. Marvin confirmed that he will reschedule the hearing for August 21, 2002 at 7:45 p.m. He further stated that he will request a list of the

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current contracts pending for the Board to review prior to the public hearing.

Director Doherty requested any additional public comments, hearing none he announced the public hearing was closed at 8:16 p.m.

Under Freeholder comments, Mr. DeBosh had no report.

Mr. DiMaio had no report.

Mr. Doherty had no report.

There were no closing public comments

There were no Press comments or questions.

RESOLUTION 476-02

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 on July 10, 2002. at 8:17 p.m.

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, 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

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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 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 July 10, 2002, that an Executive Session closed to the Public shall be held on July 10, 2002, at 10:06 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 10:20 p.m.

RESOLUTION 477-02

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 on July 10, 2002.

RESOLUTION APPROVING THE POLLUTION CONTROL FINANCING AUTHORITY OF WARREN COUNTY APPLICATION TO NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY FOR SOLID WASTE REFINANCING.

WHEREAS, the Warren County Board of Chosen Freeholders has created a Pollution Control Financing Authority of Warren County (the "PCFAWC") and vested in the PCFAWC the authority and obligation to implement the Solid Waste Management Plan of Warren County; and

WHEREAS, the PCFAWC has issued several series of bonds (the "Bonds") the proceeds of which have been utilized to construct a Resource Recovery Facility located in Oxford Township, Warren County, New Jersey, and the Warren County District Landfill located in White Township,

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Warren County, New Jersey; and

WHEREAS, as a result of certain court rulings the Authority is unable to assure the generation of sufficient revenues for the repayment of the Bonds; and

WHEREAS, the State of New Jersey has adopted legislation (P.L. 2001, c.401) (the "Act") and promulgated regulations thereunder (the "Regulations") authorizing the New Jersey Economic Development Authority (the "NJEDA") to undertake the refinancing, refunding or other payment of solid waste bonds, such as Bonds, which may benefit the PCFAWC and the County of Warren; and such Act and Regulations require the submission, by the PCFAWC to the NJEDA of an application (the "Application"); and

WHEREAS, as a result of comprehensive discussions between the PCFAWC and the Board of Chosen Freeholders of the County of Warren, preliminary agreements as to the responsibilities of these two parties have been reached with respect to the debt refinancing plans referenced herein.

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren that it is aware of and approves of the submission of the Application by the PCFAWC to the NJEDA pursuant to and as required by the Act and the Regulations.

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, there being no further business to come before the Board the meeting was adjourned at 10:22 p.m.

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

ATTESTED TO:

Tammy M. Lynn, Deputy Clerk